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Winter 2007 • Vol. 11, No. 1

PIERCE LAW

A Magazine for Alumni and Friends of Franklin Pierce Law Center



A Conversation with
Dean John D. Hutson

PIERCE  LAW
FRANKLIN PIERCE LAW CENTER

DEAN'S MESSAGE



Dear Alumni and Friends,

As you know, Pierce Law has number of strengths including our well-deserved reputation in intellectual property law; our dedication to law in the public interest; our emphasis on practice-based learning; and, most certainly, our small size, providing students an intimate and personal education in a close-knit, yet global, community.

In keeping with our global nature and long-time entrepreneurial and innovative spirit, Pierce Law will introduce a new program in International Criminal Law and Justice in 2007, creating two new interdisciplinary degrees. This is a market that is relatively untapped and will fit very nicely in our intellectual property niche.

In addition, under the direction of Associate Dean for Graduate Programs Susan Richey, we will offer a new one-week program in cooperation with the Institute of World Politics in Washington, DC. This is another great opportunity for us. This new program, entitled Advanced Topics in International Criminal Law and Justice, which will be held in May 2007 will not only expand our curricula, it will also enrich our student body by attracting good students seeking the expertise of a world-class faculty.

As 2006 came to a close, several key administrative positions were filled. Eric Norman, formerly of PricewaterhouseCoopers and most recently The Taft School, is our new vice president for finance and administration. Dawn Chamberlaine accepted the position of director of financial aid, leaving a similar position at Albany Law School of Union University. John McCrory, formerly of New York's Vera Institute of Justice, has taken on a new post as of director of communications with primary responsibility for managing our website and overseeing school-wide communications.

It is critical for us to always remember who we are and what we do well. It is also important that within that framework, we vigorously explore and pursue the rich opportunities presented to us. I look forward to pursuing those that come our way in 2007.

I wish you good health and happiness in 2007,

A handwritten signature of John D. Hutson in black ink.

John D. Hutson
Dean & President

MISSION STATEMENT

Pierce Law strives to provide its students with the best possible legal education. Pierce Law is a community of scholars, oriented towards the practice of law, who teach, learn and empower others to contribute productively to a global legal system. Students from around the world with diverse experiences engage in active, practice-based learning in small, cooperative and interactive learning environments. While traditional areas of law and emerging specialties are taught, the intellectual property law curriculum, one of the broadest in the country, is continually emphasized and improved. Graduates are highly capable, confident professionals who will serve clients, employers and the public with integrity and excellence.

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Photography: Cover: Michael Marzelli
Photography, Newbury, NH;
Sharon Callahan

Design: Desmarais Design, Amherst, NH

Printing: Imperial Company,
West Lebanon, NH

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Dean John D. Hutson

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Steven McCann '91, The Honorable Pauline Newman, and Dean John D. Hutson attended the Washington, DC reception; Kevin Landry '87, Gregg Williams, John Williams '92, and Elmer Helms at the Second Annual Golf Tournament; Lorena Catrain-Messina LLM '06.

Submit alumni news items to alumni@piercelaw.edu

MEET OUR

BOARD OF

In 1973, Bob Rines and Bob Viles hatched the idea of founding a law school that actually made a difference in legal education. They recruited several brave and enthusiastic individuals to take on the challenge of New Hampshire winters and politics and the responsibility of serving on the first Board of Trustees of Franklin Pierce Law Center, the state's newly founded law school situated on a country road just outside Concord. The school and its faculty and staff of less than a dozen people were first housed in buildings vacated by a secretarial school and previously a bull-breeding farm. As a member of the school's first graduating class, I remain humbled and amazed whenever I return to Concord and see how far we've come. From those modest beginnings, Pierce Law has grown to nearly 4,400 alumni, a student body of 481, and a supporting faculty and staff of over 100. It is with great pride that we've achieved a stature as one of the leading independent law schools in the nation and among the most respected intellectual property law educational institutions in the world.

This year, the number of trustees has expanded to 20, plus five emeriti members. Most recently, in keeping with Pierce Law's commitment to furthering our global reach, two international graduates, Gloria Isla MIP '88 of Mexico and Young Wook-Ha MIP '90/JD '92 of Korea, were appointed to the Board. Our newest member, Mark Haley, vice president and general counsel of the Electronics & Integrated Solutions Group of BAE Systems, Nashua, NH, joined the Board in November.

The trustees are charged with governing the general operations of the corporation that owns Pierce Law. In that respect, the trustees oversee the endowment, define Pierce Law's mission, develop a sound strategic plan, and with the faculty, determine our academic focus. During the next few years, the trustees will lead efforts to raise contributions for scholarships, an endowed chair in intellectual property law, and to build our Loan Repayment Assistance Program (LRAP) for graduates who work in public interest positions.

It is abundantly clear that the legal profession has dramatically changed in the 34 years since we first opened our doors and we've changed with it. But more importantly, we look forward to embracing the ever-accelerating changes that will come in the next 34 years and beyond. So whoever serves on the Board in 2040 will be taking the reigns of a great institution standing independent and proud.

– DOUGLAS J. WOOD, ESQ. '76, CHAIR



Douglas J. Wood

TRUSTEES

DOUGLAS J. WOOD, ESQ. '76

Chair

Douglas J. Wood is a member of the Advertising, Technology & Media Law Group of Reed Smith LLP, a global law firm with more than 1,500 attorneys. He has more than 30 years of experience representing national and multinational companies in advertising, marketing, promotions, unfair competition, intellectual property, and e-commerce matters. He serves as legal adviser to several worldwide advertising industry trade organizations and general counsel to the Association of National Advertisers, the Advertising Research Foundation and the Advertising Council. He is the chief negotiator for the advertising industry in relations and collective bargaining with the Screen Actor's Guild, the American Federation of Television and Radio Artists, and the American Federation of Musicians, representing the largest collective bargaining agreement in the entertainment business. In addition, he founded and now serves as chair of the Global Advertising Lawyers Alliance, a network of independent law firms located in more than 50 countries, with expertise in advertising and marketing law.

He is the author of *Please Be AdVised—The Legal Reference Guide for the Advertising Executive*, published by the ANA, now in its fourth edition, co-author of *Legal Problems in Advertising*, published by Matthew Bender, and editor of *Adlaw by Request* (www.adlawbyrequest.com), an e-magazine reporting on developments in advertising law. He is currently writing his third book on advertising and marketing law to be published by Aspen/Klewer in 2007.

KARIN A. GREGORY, ESQ. '88

Vice Chair

Karin A. Gregory's career spans more than 25 years in the healthcare field, as a healthcare administrator, lawyer and venture capitalist. She began her career in healthcare in 1980 at MIT in basic science research and then at the Dana Farber Cancer Institute where she managed a start-up outpatient department devoted to breast cancer.

In early 1998, she joined the Massachusetts Technology Development Corporation (MTDC), an early stage state-sponsored venture capital firm in Boston as an investment professional. In 2002, Gregory co-founded Dover Medical Ventures, L.P., an early stage medical device venture capital fund and eMedicus, Inc., a commercial Institutional Review Board (IRB) for the review and monitoring of clinical research studies being conducted by pharmaceutical and device companies in the field of oncology. She also formed Furman Gregory to represent early stage healthcare and technology companies and offers business consultation to other entities, including a number of private equity firms. She is involved with several New England-based nonprofit organizations as an advisor or board member, and continues her involvement with the Massachusetts medical device industry.



Bruce R. Burns



Kenneth C. Brown, Esq.



Anthony W. Buxton, Esq.



Hon. Carol Ann Conboy



James E. Conway, Esq.

BRUCE R. BURNS

Treasurer

Bruce R. Burns is senior vice president for finance and chief financial officer/treasurer of Concord Hospital, a position he has held since 1993. He is responsible for financial oversight and capital planning for Concord Hospital, its subsidiaries, and several entities of Capital Regional Health Care. Prior to joining Concord Hospital, Burns served in several capacities at Danbury Hospital, Danbury, CT, most recently as director of finance. He is a Healthcare Financial Management Association Fellow and board member, treasurer, and finance chair of the Capitol Center for the Arts.

KENNETH C. BROWN, ESQ. '78

Kenneth C. Brown is a partner in Abramson, Brown & Dugan, Manchester, NH. He serves as a special prosecutor for the New Hampshire Supreme Court's Professional Conduct Committee and is currently senior counsel to the College of Master Advocates and Barristers. In 2003, he was the honored recipient of the New Hampshire Bar Association's Service to the Public Award. He was a member of the Governor's Judicial Selection Commission in 2002-2003. From 1993-1994, he served as president of the New Hampshire Trial Lawyers Association. In 1979, he worked as a judicial law clerk for Judge Martin Loughlin at the Federal District Court.

An active civic leader, Brown chairs the New Hampshire Commission for Human Rights, and is a member of the executive board of directors and chair of the Public Policy Committee of the Brain Injury Association of New Hampshire. In 2003, he received the New England Handicapped Sports Association's Service Award. He also serves on Pierce Law's Dean's Leadership Council.

ANTHONY W. BUXTON, ESQ. '78

Anthony W. Buxton serves as chair of the Energy and Utilities Practice Group of Preti Flaherty, Portland, ME, where his practice focuses on energy project development, complex commercial energy transactions, and consumer energy representation. Prior to joining Preti Flaherty in 1980, Buxton served as law clerk to the Honorable Hugh H. Bownes of the U.S. Court of Appeals for the First Circuit in Boston, MA.

He co-founded the Energy Law Institute in Concord, NH, the nation's first renewable energy think tank, following law school. The Institute served the U.S. Department of Energy, the U.S. Department of the Navy, the National Conference of State Legislatures and others in developing state and federal policies to encourage renewable energy. He recently served as chair of ConnectME, a Maine gubernatorial task force to expand wireless services in the state and previously served as vice chair of the Commission on Maine's Future. He has been listed in Woodward/Whites' *The Best Lawyers in America* since 1988.

THE HONORABLE CAROL ANN CONBOY '78

The Honorable Carol Ann Conboy, associate justice of the New Hampshire Superior Court, is a Phi Beta Kappa graduate of the University of Connecticut. She served as an officer in the United States Air Force during the Vietnam War.

Following graduation from Pierce Law in 1978, she clerked for Judge Shane Devine, the former Chief Judge of the New Hampshire Federal District Court. She was a partner in the New Hampshire law firm of McLane, Graf, Raulerson & Middleton PA and practiced as a trial lawyer with a concentration in employment law. In 1992, she was appointed to the bench and currently serves as chair of the New Hampshire Supreme Court Advisory Committee on Judicial Ethics. She is chair of the New Hampshire Superior Court Sentence Review Board.

JAMES E. CONWAY, ESQ. '76

James E. Conway is co-owner and executive vice president of Gabriel Realty, Paramus, NJ, a commercial real estate firm involved in the sale and leasing of office and retail buildings. Conway worked briefly as assistant dean at Pierce Law following his graduation. He is admitted to practice in New Jersey and the United States District Court for New Jersey. He is a member of the Professional Standards and By-laws Committees of the RealSource Board of Realtors and serves as finance chair of the River Edge 9/11 Memorial Fund.



Lewis Gersh, Esq.

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LEWIS GERSH, ESQ. '96

Lewis Gersh is the managing partner of Gersh Venture Partners LLC, a venture capital firm focused on start-up and early stage technology companies in the digital media and transaction processing sectors. Gersh is responsible for directing its investments, strategy and operations, including direct oversight and involvement with portfolio companies. Gersh is a member of the New York Bar, New York Angels investing group and American Intellectual Property Law Association.

MORTON E. GOULDER

Morton E. Goulder founded, directed, and later served as vice president of Sanders Associates, which later grew into a billion-dollar business in defense electronics. While there, he originated and managed the divisions that invented the word processor. From 1973 to 1977, Goulder served as deputy assistant secretary of defense for intelligence and warning. He later worked as a consultant and investor in the high tech industry.

Goulder also founded a small business investment corporation and served for nearly 20 years as a director of the Bank of New Hampshire. In addition, he founded The Breakfast Club, a group of high-tech entrepreneurs who invested in over 50 start-up companies.

CATHY J. GREEN, ESQ. '77

Cathy J. Green graduated from Trinity College in 1974 and Pierce Law in 1977. She began her career as a public defender in New Hampshire, one of three in the state at the time. In 1981, she entered private practice. A partner in Green & Utter, P.A., her practice is limited to criminal defense in both federal and state court.

She is past president of the New Hampshire Association of Criminal Defense Lawyers and serves on the Board of Directors of the New Hampshire Public Defender Program. She has been recognized in both the *Best Lawyers In America* and the *National Directory of Criminal Lawyers*. She is a fellow of the American College of Trial Lawyers and the International Society of Barristers. She was recognized by the New Hampshire Women's Bar Association as a recipient of the 2001 Marilla Ricker Award and as one of the first 100 women admitted to the New Hampshire Bar. She received the Donald Dufresne Award for Outstanding Professionalism from the New Hampshire Bar Association in 2004. She recently served as a commissioner on both the New Hampshire Supreme Court Commission on the Status of the Profession and the Citizen's Commission.

YOUNG-WOOK HA MIP '90/JD '92

Young-Wook Ha of Seoul, Korea is a partner in the law firm of Ha & Ha in Seoul. He serves as an arbitrator/mediator for the World Intellectual Property Organization Arbitration Center, as well as an arbitrator for the Korean Commercial Arbitration Board. A council member of the Korea Patent Attorneys Association, he is an adjunct professor of law at Kyong Nam University and HUFs. He served on the Trade Barrier Korea Subcommittee of the International Trademark Association (INTA) in 1993.

MARK HALEY, ESQ.

Mark Haley serves as vice president and general counsel of the Electronics & Integrated Solutions Group of BAE Systems, Nashua, NH. Haley is responsible for advising on all legal areas for the group, which has operations across the U.S. and in the United Kingdom and Israel.

Haley joined BAE Systems after serving as vice president and deputy general counsel at General Dynamics and general counsel of General Dynamics' Bath Iron Works. He spent many years as a litigator at Preti Flaherty, and at Conley, Haley & O'Neil, which he co-founded in 1974. He is a member of the Maine and Massachusetts Bar Associations, the U.S. District Court of Maine, the Seventh Circuit U.S. Court of Appeals, and the Defense Research Institute.

GLORIA G. ISLA MIP '88

With more than 20 years of experience in intellectual property and licensing, Gloria G. Isla serves as director general and manager of Clarke, Modet & Co. in Mexico City, Mexico. Founded in 1879 in Madrid, Spain, the multinational firm also has offices in Portugal, Argentina, Brazil, Colombia, Chile, Mexico, Venezuela and Miami, FL. She has published many articles on technology transfer, licensing, and intellectual property. An active member of the Licensing Executives Society International (LESI), Isla is the past president of the Mexican Chapter of LESI and a member of the editorial board of *Les Nouvelles, Journal of Technology* of LESI. Isla earned her law degree from the Universidad Iberoamericana, Mexico City. She participated in the Visiting Scholar Program at the United States Patent and Trademark Office.



Heather Merrill, Esq.



Jack B. Middleton, Esq.



Gordon V. Smith



Sherilyn B. Young, Esq.

WILLIAM L. KEEFAUVER, ESQ.

An intellectual property consultant, William L. Keefauver formerly served as vice president-law of AT&T, with responsibility for all intellectual property legal matters and as vice president and general counsel of AT&T Bell Laboratories. He is a past chair of the ABA Section of Intellectual Property Law, a past president of the U.S. Group of the Association Internationale pour la Protection de la Propriété Intellectuelle (AIPPI) and also served as treasurer general of the international body of AIPPI. He has also served on a variety of advisory bodies to the U.S. Government on intellectual property law policy.

HEATHER MACLEAN WALKER MERRILL, ESQ. '88

A former First Lady of New Hampshire, Heather MacLean Walker Merrill of Manchester, NH currently serves as grant administrator for the Palace Theatre Trust. Founder of the Breast Health Foundation in 1997, she also served as its director for several years. She is active on the boards of St. Joseph Regional Jr. High, the New Hampshire Citizen's Health Initiative, and the New Hampshire Breast Cancer Coalition.

JACK B. MIDDLETON, ESQ.

President of McLane, Graf, Raulerson & Middleton PA, Manchester, NH, Jack B. Middleton is a member of the House of Delegates of the American Bar Association, and former Association secretary and member of its Board of Governors. He is the former president of the New Hampshire Bar Association, the New England Bar Association and the National Conference of Bar Foundations. Active in community and civic projects, he is a director of the New England Council, former director of the Greater Manchester Development Corporation, former chair of the Greater Manchester United Way, and past chair of the Board of Governors of New Hampshire Public Television. He was named "New Hampshire Business Leader of the Year" in 2000.

GORDON V. SMITH

A noted author, lecturer and consultant, Gordon V. Smith serves as chair of AUS, Inc., Mount Laurel, NJ, and as president of AUS Consultants in the United States. He has advised clients in valuation matters for nearly 45 years. His assignments have included appraisals of nearly every type of tangible and intangible property as well as consultations and expert testimony relative to royalty rates, economic life, and litigation damages relating to intellectual property. Smith, a graduate of Harvard University, has lectured on valuation subjects throughout the Americas, in Europe, and extensively in Asia. An adjunct professor at Pierce Law, Smith is a member of the school's

Advisory Council on Intellectual Property. He is a member of the International Trademark Association and the Licensing Executives Society.

He has authored five books, published by John Wiley & Sons, Inc., entitled: *Corporate Valuation: A Business and Professional Guide*; *Trademark Valuation*; *Valuation of Intellectual Property and Intangible Assets* (coauthor); *Intellectual Property: Licensing and Joint Venture Profit Strategies* (co-author). His most recent work, published in April 2005, is titled *Intellectual Property: Valuation, Exploitation, and Infringement Damages*.

H. SCOTT TENNEY, ESQ. '77

H. Scott Tenney is president of Hudson Baylor, a company he helped to found in 1983 following passage of New York State's Bottle Bill. Hudson Baylor operates facilities in New York, Connecticut, Massachusetts, and Arizona for collecting and processing returned containers, recycling plastic, glass, aluminum, and other forms of fiber, including newspaper and cardboard. Tenney is a member of the New York State Bar and a former district attorney in Brooklyn, NY.

SHERILYN B. YOUNG, ESQ. '82

Sherilyn B. Young is a founder and president of Rath, Young and Pignatelli PC, a 60-person law firm based in Concord, NH, with offices in Nashua and Boston. She also heads the firm's Environmental Practice Group and assists clients on federal and state environmental matters, real estate transactions, and public and private financing transactions. Her practice focuses primarily on environmental law, including environmental compliance, permits and approvals, and real estate transactions involving contaminated properties.

Young served as legislative counsel to then-Governor Judd Gregg in 1988-1989. She is past president of the New Hampshire Historical Society and also serves on the board of the New Hampshire Business and Industry Association. She was the first woman to chair the State Capital Global Law Firm Group, a network of over 100 independent law firms in all 50 U.S. state capitals and in business markets and financial centers worldwide. She is regularly cited in *New Hampshire Magazine* as one of the top environmental lawyers in New Hampshire, including its 2006 edition.

A CONVERSATION WITH DEAN JOHN D. HUTSON



BY MEGAN DE VORSEY
AND SHARON CALLAHAN

“Every once and a while, there are messengers who are able to deliver the truth to those in power in ways that can make positive change. Those messengers take up the call at enormous personal risk—of public criticism and to their reputation. Admiral Hutson deserves to be honored for undertaking this risk—on a controversial topic and at a critical moment in our country.”

—Michael Posner, Executive Director
Human Rights First

AN OUTSPOKEN ADVOCATE FOR HUMAN RIGHTS, DEAN JOHN D. HUTSON HAS BECOME A NATIONAL AND INTERNATIONAL VOICE speaking out against the torture of prisoners at Abu Ghraib and defending the rights of detainees held at Guantanamo Bay. Above all he has urged the administration of United States to uphold the Rule of Law.

Since joining Pierce Law, Hutson has addressed other controversial topics including Don't Ask, Don't Tell (DADT), a policy regarding gay rights in the military. An op-ed he wrote criticizing DADT for the *National Law Journal* in August of 2003 led to numerous media inquiries and an appearance on CBS television's *60 Minutes*.

As an expert in military law, Hutson has testified before the United States Congress and Senate. He has given numerous interviews to journalists about Abu Ghraib and has assisted lawyers representing prisoners at Guantanamo as they attempt to pursue justice in the courts.

Hutson participated in a major print advertising campaign for the American Civil Liberties Union. “How can we fight to uphold of the Rule of Law, if we break the rules ourselves,” stated Hutson in a full-page ad that appeared in the *New York Times*. “Today we are conducting the war against terrorism in a manner that is inimical to those values of freedom and justice. We have abused prisoners in Iraq in a most horrific way. We are holding, indefinitely, hundreds of individuals from more than 40 countries as captives at the U.S. Naval Base at Guantanamo Bay, Cuba, without charges or trial.”

Hutson was later honored by New Hampshire Civil Liberties Union (NHCLU) when he was given the 2005 Bill of Rights Award. At the award ceremony, NHCLU Executive Director Claire Ebel said, “As dean and president of Franklin Pierce Law Center, John has watched as the war on terror unfolded. He worried about the moral pressure on the military that had been an essential part of his professional life and he could not remain silent. With courage and conviction and the knowledge that he might offend colleagues and friends, John spoke out. For his courage in speaking out in a time of war and for his lifetime of service to the Rule of Law in a just and civil society, we honor John Hutson with the 2005 Bill of Rights Award.”

In early 2006, Hutson offered comment on a report issued by Human Rights First that provided a comprehensive accounting of the U.S. government’s handling of nearly 100 cases of detainees who had died in U.S. custody since 2002. In regard to that report, entitled *Command’s Responsibility*, Hutson stated the report “documents a dozen brutal deaths as the result of the most horrific treatment. One such incident would be an isolated transgression; two would be a serious problem; a dozen of them is policy. The law of military justice has long recognized that military leaders are held responsible for the conduct of their troops. Yet this report also documents that no civilian official or officer above the rank of major responsible for interrogation and detention practices has been charged in connection with the torture or abuse-related death of a detainee in U.S. custody. And the highest punishment for anyone handed down in the case of a torture-related death has been five months in jail. This is not accountability as we know it in the United States.”

Hutson continues to speak out on human rights issues, lecturing nationwide at colleges, universities, and nonprofit human rights organizations. He recently spoke about his beliefs with Megan De Vorse, director of Pierce Law’s Social Justice Institute.

Q: Why did you speak out against Don’t Ask Don’t Tell in 2003?

JDH: I was working at the Pentagon when DADT was developed. It was the 10-year mark of DADT when I read *Lawrence vs. Texas*, in which the Supreme Court struck down the Texas sodomy statute. So much had happened in the ten years since DADT and I thought it was time it was rectified. I wrote an op-ed on that subject that was published in the *National Law Journal*. Soon, I found myself speaking with all the major media outlets, including *60 Minutes*, and traveling around the country speaking at law schools and elsewhere.

Q: How did you become involved with the treatment of detainees?

JDH: It was my belief that the U.S. was unjustifiably and unwisely refusing to afford detainees the so-called “competent tribunal,” required by Article 5 of the Geneva Conventions to test the legitimacy of their detention. I was asked to speak on this issue at various venues around the country. It evolved into Abu Ghraib, Guantanamo Bay, torture, military commissions, habeas corpus and all the other questions regarding the treatment of detainees. When I agreed to testify in opposition to the confirmation of Alberto Gonzalez as U.S. Attorney General, it really took on a national perspective.

Q: In your testimony about the Gonzalez nomination you discussed the importance of the Rule of Law. Would you touch briefly on the Rule of Law?

JDH: It is not the Rule of Law if it is applied only when convenient. This is what the administration did with regard to the Geneva Conventions. It was not convenient to apply the Geneva Conventions in the minds of some people and they figured out ways to get around them. Rules are things you have to follow, all the time. But, this leads me to another point, which for me is important. I have come to believe that laws are less important than I thought they were, and that lawyers are more important. Gonzales and others found clever ways to avoid subscribing to laws they believed to be onerous for the United States. They defined torture in such a way as to define out almost everything. You can redefine laws, but is it not always wise. It points out to me the importance of lawyers to not only be smart, but to be wise. And for people to not hide behind lawyers and laws too much. There are moral, ethical, diplomatic and military considerations that ought to trump the law. You can get around torture by defining it so narrowly that it doesn’t exist, but is that wise?

Q: What have been the most frustrating aspects of your advocacy?

JDH: I think the two most frustrating aspects have been the refusal of the administration to hold anyone in a senior position accountable for the mistakes that have been made and our inability to prevent Congress from stripping the courts of habeas corpus jurisdiction. These are two big steps in the wrong direction for the country.

Q: Have you thought about the negative fall-out from your public stances?

JDH: Yes. Some of my friends were very unhappy with me, particularly early on. But now, as time has gone on, some of them realize that many of things I was saying have actually come to pass. For example, we now know Abu Ghraib was not

an isolated incident. Others now agree that the war in Iraq was misguided. At the time, I felt it was just something I had to do. I still do.

Q: Tell me about your participation in the advertising campaign for the ALCU?

JDH: Participating in the ALCU wasn't something I ever planned on doing.

And I struggled with whether or not to do it. But I felt it was the right thing to do. It caught people's attention, and that was what was important.

Q: After your retirement from the military, you considered going into the ministry. What made you decide to take the position as dean?

JDH: Actually, I've almost gone to seminary twice. Once when I was in college, but I decided not to because I didn't think I had had enough life experiences to be an effective priest. The second time was when I was reaching what I thought was the end of my Navy career. Again, I talked with several bishops and priests and visited several seminaries. I was on my way in to the ministry, but then life happened. I was selected to be the JAG and my career was extended. I don't know if God sends signs like that or not, but by the time I retired, I thought I was probably too "mature" to go to seminary for three years, only to be ordained in my mid-50s.

Incidentally, at the same time I applied for the position of dean of Pierce Law, I had also applied for the executive director post of the National Cathedral in Washington, D.C. I was told by a headhunter for the Cathedral that he would let me know in a few days if I got the job. When I didn't hear from him and Doug Wood, chair of our Board of Trustees, called and offered me the job here, I took it on the spot. The next day, I received a call offering me the job at the Cathedral. I told them "too late."

Q: Would you define your current work on behalf of detainees as ministry? What do you hope to accomplish through your work?

JDH: I think we all have a ministry that we can exercise if we are willing. We can't all be priests, rabbis, mullahs, and the like. But we can work to make the world a better place and to please God in the process. We can do that in our daily secular lives, both personally and professionally. So, yes, I do think of

it as a ministry. I hope it pleases God, because I know there certainly are lots of times that I displease God.

Q: How has being in a position of law school dean helped your ability to speak out?

JDH: Law schools are a forum for thoughts and ideas that not everyone will necessarily agree with. And, as a non-government official, I now have more freedom to speak out.

Q: I know that you have counseled and mentored many others on these issues, in a not so public role. Would you comment on this?

JDH: Because of my Navy experience and my interest in the issues, I have a certain expertise that people can draw on. I spend a lot of time speaking with lawyers around the country on how the military will view something, what's the best approach, and things like that. I do an awful lot of that.

Q: What do you want the graduates of Pierce Law to leave with?

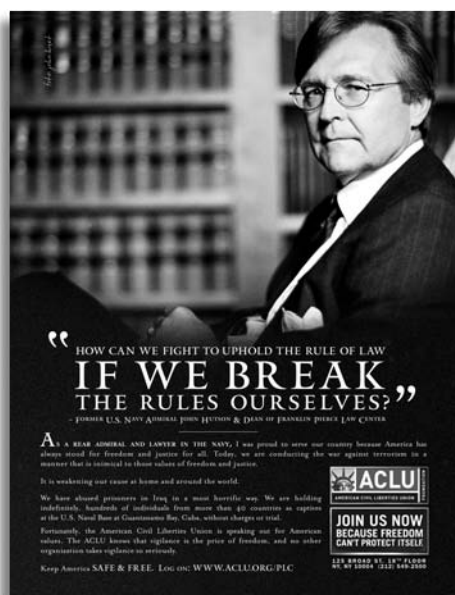
JDH: The substantive law we teach is only going to last for two of three years, just enough to get them started. What is important are their values, their sense of commitment, their sense of service, their sense of community. Legal Skills and Professional Responsibility are the two most important courses we teach them. If

they graduate with an understanding of how to write and conduct research, and are fully aware of their professional responsibilities, they will be great lawyers.

Q: What is your vision for the school?

JDH: I want Pierce Law to be the best small law school that it can possibly be. I want students from around the globe to come here for a hands-on, practice based, intimate education in our close-knit learning environment. In some respect, the vision is remaining true to ourselves.

Hutson was recently interviewed for a feature film entitled, "Ghosts of Abu Ghraib," produced by Rory Kennedy and Jack Youngelson of Moxie Firecracker Films. The film will premiere at the Sundance Film Festival in January 2007 and is currently in consideration for an HBO special.





BY PROFESSOR THOMAS G. FIELD JR

The Risks of Buying Secrets

Two trade secret stories received considerable media attention recently. One featured Apple® Computer's decision to drop an appeal in a case involving two online journalists who published company secrets. The other reported federal indictment of a former Coca-Cola® secretary and associates who offered to sell secrets to Pepsi®.

Neither involved a whistle-blower's exposing corporate misbehavior. Nothing suggests differences in the value of the information. Rather, both cases apparently relate to harm associated with premature notice of new products.

Yet, people who published what they knew to be Apple's secrets have been praised for refusing to reveal sources, whereas Pepsi employees have been praised for refusing an offer to buy secrets. Moreover, after the FBI intervened in the latter case, the Coke® secretary and associates were indicted. Two, denied bail, are in jail.

The Economic Espionage Act of 1996 (EEA), 18 U.S.C. § 1832(a)(1)-(2) prohibits both carrying secrets away and knowingly accepting them. Why was the receiver praised in one case; the providers jailed in the other? — Probably because the Coke case would be more easily prosecuted. Cash changed hands, and § 1831(a) is satisfied if intent to confer an economic benefit on the receiver can be shown.

That section is also satisfied if intent to cause injury or knowledge of subsequent injury can be shown, but neither seems easily accomplished in the Apple situation. Although injury might be presumed in civil actions, criminal liability should require proof of objective harm as well as subjective understanding. The first requirement could probably be met, but the second, under reported circumstances, might well be a hard sell.

Thus, anyone at Pepsi who agreed to accept, much less pay for, Coke secrets would more surely face serious consequences. Those include unspecified fines and imprisonment up to ten years. If the firm were found responsible, under § 1832(b), it would face fines up to \$5 million.

An AP reporter observed in the context of one case that: "Stealing trade secrets is not uncommon in a competitive corporate culture where heavy premiums are placed on [being first in

the market]." Harry R. Weber, *Coke leak spotlights trade secret security*, July 10, 2006. Yet, anyone aware of the EEA seems unlikely to engage in such practices. Indeed, if foreign transferees are involved, under § 1831, sanctions are more serious. Jail terms may reach fifteen years and fines on organizations, \$10 million.

My take on those situations, however, is mostly influenced by another that long predates the EEA. I learned of it when in-house counsel in another state called seeking local counsel. As he related, a recently-departed employee had already filed several patent applications. The firm wished to take over prosecution. Given the clear advantages of being able to invest prosecutorial resources appropriate to the inventions' value to the company, I was not surprised.

I've yet to figure out how such objectives might be best accomplished, but I have figured out how, despite 35 U.S.C. § 122, it learned of those pending applications. Because the PTO would have been required to keep them in confidence, a competitor surely relayed the information.

Thus, when the former employee offered rights, the competitor's lawyers became suspicious. After investigation, they realized that the truth would come out should any patents issue. Thus, professional ethics and corporate morality aside, they wouldn't have been interested in the patent applications.

Yet, they had no obligation to do more than say "no." Why did they inform a competitor about the activities of its former employee?

I credit enlightened self-interest. Reflecting on the Pepsi case, I suspect that such self-interest, rather than risk of prosecution under the EEA, accounts for what happened after Pepsi was offered Coke's secrets.

It is one thing to reverse engineer competitors' products or even to hire someone to take aerial photos of a competitor's plant under construction. (See, *E. I. duPont deNemours & Co. v. Christopher*, 431 F.2d 1012 (5th Cir. 1970).) To foster a culture in which firms buy secrets from competitors' employees is, however, very different. As most Intellectual Property lawyers would appreciate, the consequences of such practices are far more serious and will come back to bite sooner or later.

Patent Pending:

The Original PuppyPurse™

In 2003, Suzanne Sherman '79 and her husband, Joseph Tafo '79, closed their respective law offices in New Jersey and moved to Sarasota, FL, where they anticipated a relaxing retirement. Soon after, they acquired Sammy, an adorable Maltese puppy who quickly became the center of their attention. Sherman wanted to take Sammy with her on all her excursions.

"I didn't like the available carriers," says Sherman, "because they didn't let me see and cuddle Sammy. I didn't want to keep him enclosed in a hot, stuffy bag."

When Hedy Grant '79 and her 14-year-old son, Sebastian, visited Sherman and Tafo in Florida in March of 2004, Grant and Sherman put their heads together and invented the PuppyPurse, an open-air, hands-free carrier for small dogs. Grant's son named their invention.

"We realized that we had a fabulous and unique idea," says Sherman, "and we decided to go into business. Hedy, Joe and I did the trademark and patent application work ourselves, even though we had never done this work in our respective practices. We have Pierce Law to thank for the confidence to give it a try."

"We designed PuppyPurse to keep diminutive doggies and their adoring humans inseparable and happy," say Sherman and Grant. "The PuppyPurse is not only a great way to carry a healthy pup, but also recommended by veterinarians for dogs who have arthritis or other infirmities," explains Sherman.

In the almost three years since it was created, PuppyPurse has become a tremendous commercial and artistic success. PuppyPurse is sold on Grant and Sherman's website, www.PuppyPurse.com, in pet boutiques worldwide, and in select upscale catalogs.

This winter, PuppyPurse is on view in "Bêtes de Style," an exhibit at the Musée de Design et d'Arts Appliqués Contemporains (Museum of Design and Contemporary Applied Arts) in Lausanne, Switzerland. On exhibit through February 11, 2007, the show

explores the relationship between humans and their pets.

PuppyPurse is currently featured in *The Pampered Pooch: Discover What Your Dog Wants, Needs and Loves* by Jason Rich (Howell Book Houses/Wiley Publishing) and will be included in *Pet Pampering* by James Innes-Smith (Bloomsbury Press, London) and *Catwalk Dogs*, compiled by Sarah Jameson (Brown Cow Publishing) due out in 2007. Newspapers and magazines, including *The New York Times*, *The Daily Mail* (UK), *The Leader-Post* (Canada), *The Atlantic Press*, and *Pet Age*, have had high praise for the PuppyPurse. It has also been a hot topic on nationwide television programs, including *Good Morning America*, the *Sharon Osbourne Show*, *The Richard and Judy Show*, and dozens of local stations from San Diego to Orlando.

"We at PuppyPurse are, first and foremost, dog lovers," say Sherman and Grant on their website. "We would, if we could, have our pups at our sides all the time and everywhere." Visit www.puppypurse.com.





Courtroom a classroom for law students

They help defend indigent clients

BY ANNMARIE TIMMONS
CONCORD MONITOR STAFF

WHEN LAW STUDENT RACHAEL HAWES GOES JOB HUNTING NEXT YEAR, SHE'LL HAVE A RESUME SHE CAN BE PROUD OF. WITH A YEAR TO GO AT THE FRANKLIN PIERCE LAW CENTER IN CONCORD, NH, HAWES IS ALREADY REPRESENTING SEVERAL CLIENTS IN CRIMINAL CASES THROUGH THE SCHOOL'S CRIMINAL PRACTICE CLINIC.

"I think it must be a complete shocker to the people who don't do the clinic and jump right in (to practice) after law school," said Hawes of Henniker, NH. "You learn little things you don't find in textbooks.... This is a great learning experience."

It's also a good deal for the clients. The students, under the supervision of Concord lawyer Charles Temple, defend people who cannot otherwise afford a lawyer. And they do it well, according to a judge and prosecutor who deal with the students weekly.

"They are among the most prepared (lawyers) in the courtroom," said Judge Gerard Boyle of Concord District Court, who said he gives no breaks to the students. "They get involved with every detail of their case. They dot all the I's and cross all the T's."

Franklin Pierce runs clinics where students represent people in several kinds of cases, including bankruptcy, landlord/tenant disputes and worker compensation issues. For many years, students have also defended indigent clients in criminal matters, including assault, drunken driving, motor vehicle and shoplifting cases. The money they earn from the state for their legal work goes back into the clinic.

Students from the clinic helped with the recent (and successful) defense of Wendy and Bryon Ruff of Warner, NH on child endangerment charges. The Ruffs won their case on pre-trial motions. In May, two other clinic students won a jury trial for Concord dad Stephen Carter on child endangerment charges.

meeting judges and attorneys you would be practicing with. You are already starting those relationships."

Temple said the clinic gives students more than just a legal experience. Students are often surprised to learn how much drug and alcohol addiction or mental health issues play a role in criminal charges. He teaches students to give clients a thorough and well-prepared defense, but he also cautions them about getting too close personally. Caring, Temple explains, does not mean giving out a personal cell phone number or loaning money to clients.

He reiterates this advice instead: "Failing to prepare is preparation for failure." That means students practice their courtroom arguments again and again and research their motions completely. Temple, who has been with the clinic off and on for nearly a decade, said he's never had a client complain about being assigned a student lawyer or about the work a student has done.

**"They are among the most prepared (lawyers) in the courtroom.
...They dot all the I's and cross all the T's."**

– Judge Gerard Boyle, Concord District Court

Temple admits mostly third-year students into the school's criminal practice clinic because most students need the first two years of law school to take the prerequisite courses. He has eight to 12 students a semester who handle about 35 clients at a time. In addition to the 10 to 15 hours each week the students put into their cases, they are also taking law school courses.

While Temple supervises the students at every step of their case, he also gives them enough room to gain experience. That means the students are expected to set up appointments with new clients, take their case histories, file motions and negotiate with the prosecuting attorney. Nearly 90 percent of the cases end in pleas, but if the case goes to court, the students are expected to go to court, too.

Temple said there'd be little value in doing it any other way. "I can do all the mock exercises I want," he said. "But you can't do a mock exercise in class and get what it's like to do a real interview with a real client."

Franklin, NH lawyer Brad Davis agrees. He spent two semesters defending criminal cases in Temple's criminal clinic and believes it helped him land a job when he graduated from law school two years ago.

"It was very helpful because now you have real-world experience," Davis said. "Law school teaches you to think like a lawyer, but it's not state specific. The clinic is fantastic for anyone who wants to practice in New Hampshire because you are

Tracy Connolly, a prosecutor at the Concord District Court, said the preparation shows. "They tend to over-prepare," said Connolly, who works cases with the students about once a week. "I think it's a great program because, quite frankly, for law school the best thing you can do is get experience. Law school does not prepare you for being in court."

Nina Gardner, executive director of the state Judicial Council, oversees the recruitment of lawyers to represent indigent clients. She said it can be hard to find private attorneys willing to work for reduced rates, and she's thrilled the school's criminal clinic renews its contract with the state each year. She's hoping it's the start of a long-term relationship.

"It's a wonderful way to enable law students to get exposure to public interest law," Gardner said. "If you can whet their appetite while they are in law school, you hope they'll continue to do this in their professional career."

Reprinted with permission from the Concord Monitor, October 2, 2006 edition. Annmarie Timmons has worked for the Monitor for about 14 years, as both a reporter and editor. She currently covers Concord police and fire, as well as the courts and prisons. Pictured are Rachel Hawes '07 and Professor Charles Temple. Photo courtesy of the Concord Monitor.

Attorney is animals' spokesman: As special prosecutor, he gets justice for abused

BY JULIE WALLACE

THE AKRON BEACON JOURNAL



J. Jeffrey Holland '87, wife Marjorie Muirden '87 and family

SHARON CENTER, OHIO -- The Sharon Township home of attorney J. Jeffrey Holland is exactly what you'd expect for someone who spends nearly all of his professional life trying to protect animals.

The property where he and his law partner and wife, Marjorie Muirden, are raising their four sons is dominated by animals—five dogs, six horses, a cat, some fish and a turtle, to be precise.

Fittingly, the dogs are not picture-perfect purebreds—rather, they are mixed breeds that found their way to the Holland house and became part of the brood. One has a misshapen jaw, another was found by Holland's sons along a road and carted home.

Another one was a de facto client—Holland prosecuted its breeder after hundreds of dogs were found piled in crates, one on top of the other in a scorching-hot garage. That's a role in which Holland increasingly finds himself—a special prosecutor in courts throughout the state, trying to secure justice for abused animals.

He recently wrapped up a case in Wadsworth Municipal Court in which a woman who was convicted of allowing five horses and 10 dogs to starve to death was sentenced to 12 days in jail. She also was ordered to pay nearly \$8,000 to cover the cost of caring for five horses and three dogs that survived.

This week, he'll be in Lake County to handle an animal case. At the same time, he's prosecuting another animal cruelty case from Springfield, in southern Ohio.

"As far as I know—and this is not bragging, it's just the way it is—I think I am the only attorney in Ohio who devotes a significant portion of his practice to animal welfare law," said Holland, 45.

Dave McClelland, executive director of the Friendship Animal Protective League, which serves Lorain County, said it's well known by animal caretakers that Holland is the lawyer to call. "Jeff is the expert in animal law in Ohio," McClelland said. "Everybody that has questions calls him for the answers. He even worked on the new (animal welfare) law, and he's done a phenomenal job."

Years ago, Muirden was the impetus for Holland's specialty. Both were attending Franklin Pierce Law Center in New Hampshire, and they met when they and some other classmates were sitting around talking about what they hoped to accomplish after securing their degree.

“For some, it was all about money and power, and I was starting to get more and more depressed because I was idealistic,” said Holland, a graduate of Highland High School who now lives within sight of the primary school he attended, Sharon Elementary. “But then it came around to this young lady, who said, ‘I want to do animal welfare, and I want to save the world.’ Now we have four sons, five dogs, six horses, some fish, a cat and a law practice.”

Holland prosecuted his first animal welfare case in 1991 in Medina Municipal Court. The municipal prosecutor at the time was honest—admitting he normally handled traffic cases. Holland took over after he uncovered a provision in Ohio law that allows animal protective agencies to appoint a private attorney to handle their cases.

Since that time, he’s served as prosecutor for such cases in 20 of the state’s 88 counties. He also represents many of the animal protective agencies around the state—cruelty cases aren’t the only legal issues they face. He and his associates have developed expertise in all things animals, topics that range from adoptions to zoning issues.

He takes a particular interest in the civil side of animal welfare—noting that the value of a companion animal often is immeasurable to its owner, but the statutes don’t reflect that in considering compensation for loss.

“I have a terrier-mix dog that my kids found on the side of the road who’s been with us for 10 years,” Holland said. “Pepper has formed a bond with me that I will never forget. But its market value has been down over the years as its value to me goes up.

“If that dog were killed today, the market value for a 10-year-old spayed mutt is zero. So there’s something wrong and primitive about the way the law sets that value,” he said, pulling out his cell phone to show off pictures of Pepper and the other dogs. “Anywhere else, the law tries hard to recognize and compensate somebody fairly for a loss.”

About three years ago, the state laws covering animal cruelty were updated for the first time in 130 years. Holland composed the early draft, and even though subsequent amendments altered his initial vision, he’s still proud that there finally is a way to press felony charges against individuals who repeatedly victimize animals and to secure money to help cash-strapped animal agencies provide care for the rescued animals.

Animals aren’t the only beneficiary of Holland’s attention. In 1991, he founded the Medina County Land Conservancy, which later merged with an Akron group and in January merged with several others to become the Western Reserve Land Conservancy. Holland remains a board member for the group, which represents 4 million acres in 14 counties and has a staff of 23 people.

Those two interests were the driving force behind his and Muirden’s initiative to open their own office. Muirden no longer does a lot of the day-to-day work—she’s busy raising their sons, ages 15, 12, 9 and 17 months. The name of their youngest—Noah, of course.

“After three boys, you start to run out of names you can agree on,” Holland said, laughing. “But we figured anybody who is able to save the world from an environmental disaster and at the same time save the animals had to be OK.”

This article was previously published in The Akron Beacon Journal, September 24, 2006. Copyright (c) McClatchy-Tribune Information Services. All Rights Reserved. Reprinted with permission.



Can you imagine the American public tolerating a health care regime in which recent medical school graduates perform the most difficult medical procedures under the supervision of politically appointed senior doctors, many of whom have not themselves operated in years? Surely not.

And yet, the American judiciary has adopted just such a system to fulfill its law-stating function. It is no secret that judicial law clerks, who are often novice lawyers fresh from law school, commonly write the crucial working drafts of the opinions that seek to justify coercive legal judgments and set important precedents. Critics of the system abound, but significant change is unlikely, given crushing caseload pressures and shrinking judiciary budgets. Whether or not it is a good thing, American judges will almost certainly continue to rely heavily on law clerks to meet their opinion-writing obligations in the years ahead.

Teaching Judicial Opinion Writing

I am a career law clerk to a federal appeals court judge.

A decade ago, I was hired by Pierce Law and Vermont Law School in South Royalton, VT, to design and offer a judicial opinion-drafting seminar to second- and third-year law students. Initially, I pitched the seminar as a boutique offering that would appeal primarily to those students who had secured post-graduate clerkships. Over time, however, I have attempted to broaden the seminar's scope and appeal, as I have become convinced of the benefits of having all students—even those who are not interested in clerking or for whom clerking is not a realistic prospect—practice adjudicative writing.

Why should all students, and not just those on the clerkship path, be asked to draft opinions while in law school? The answer starts with the commonly accepted fact that the best attorneys are not those who advance the merits of the client's cause most forcefully, but those who are able to frame their arguments in terms that demonstrate an honest appreciation of the adjudicator's predicament. In a difficult case, effective lawyering requires one to range beyond the facts and legal doctrine, and to anticipate and speak to the myriad institutional and policy concerns that may inform the adjudicator's decision, such as: Am I confident that I have sufficient information, in terms of both record facts and social background facts, to decide this issue reasonably? Is the issue better resolved by

means of a broad or narrow, fact-based ruling? Is the issue receiving attention from the legislative or executive branch? Will my ruling jump-start or short circuit the democratic process?

In my experience, surprisingly few lawyers make effective arguments of this sort. Why this is so is a complicated question, but part of the answer might lie in the fact that few advocates have had occasion to reason through difficult legal problems from the judge's or law clerk's perspective. Realistic and well-designed opinion-drafting exercises can help to fill this experiential gap and provide some of the schema necessary for an empathetic grasp of the choices and dilemmas that adjudicators face.

Opinion-drafting exercises may, of course, be made part of the standard legal writing curriculum. One of my colleagues at Vermont Law School requires his legal writing students to draft an opinion. But the topic of opinion writing is so large that it merits its own course. In my seminar, students are asked to critically examine models of case resolution articulated and applied by a number of prominent commentators (especially judges) from across the ideological spectrum; to begin to develop their own case-resolution models as they tackle actual cases presenting close constitutional and statutory issues of significant social importance; to step outside themselves and

observe the evolution of their jurisprudential thinking as they read the course materials and draft their opinions; and, ultimately, to draft well written and principled opinions which fairly construe the record and reasonably respond to the issues presented.

Although I have assigned a number of different cases from a number of different courts over the years, most recently I have had the students prepare draft opinions in two cases that were litigated in a federal appeals court. The first case calls on students to decide whether government agents violated the Fourth Amendment's prohibition on unreasonable searches and seizures by reassembling, without a warrant, shredded personal documents fished from the trash of a suspected tax cheat. The second requires them to assess an immigration judge's ruling that an alien should be deported because she married fraudulently in order to secure an immigration benefit. The constitutional case challenges students to explore, among other things, the always topical questions of whether, and to what extent, a judge's personal views on the proper balance between liberty and governmental authority can, should, or must inform her substantive decision-making. The immigration case presents a number of tricky issues of statutory interpretation, raises important separation-of-powers questions, and requires thought about the extent to which our legal system can and should accommodate, and is capable of accommodating diverse cultural and religious norms.

With these cases focusing their attention, I assign the students readings which highlight the connections among the types of legal problems that make their way into a court of general jurisdiction. Students first read texts designed to highlight the difference between a natural law and positivist orientation—e.g., Sophocles' *Antigone*, Martin Luther King Jr.'s *Letter from a Birmingham Jail*, Oliver Wendell Holmes Jr.'s *The Path of the Law*, and the famous Hart-Fuller dialogue about whether the Nazi system of "justice" should be regarded as a legal order—and to put them in touch with their own philosophical predispositions.

Next, students study how great but ideologically diverse judges tend to approach common law, statutory, and constitutional problems, reading opinions and influential jurisprudential works by, among others, Justices Holmes, Cardozo, Scalia, and Breyer, and Judges Hand, Posner, Bork, and Coffin. Near the end of the course, as the students are refining their opinion drafts, they examine modern anti-theoretical trends and explore matters such as the capacity of judges to assess and apply empirical social science, whether writing style informs substance, and judicial candor. Throughout, students conduct

"opinion studies," which require them to read and critique provocative judicial opinions. Students also participate in collaborative group writing exercises in which they are asked to agree to and outline an adjudicative approach to a fact pattern and then to compare the outline to the approach taken in the actual published opinion.

We may not like the fact that law clerks are opinion writers. As Judge Posner puts it, "Law professors resist acknowledging to themselves that they are

teaching the work of last year's graduates, and lawyers resist acknowledging that they are writing for kids." But it is important that law schools prepare their students to be opinion writers and, more generally, to litigate within a system in which law clerks are opinion writers. Opinion-writing exercises, and courses which place students in the adjudicator's chair, should constitute an essential part of that preparation.

John Greabe is an assistant professor of law at Vermont Law School where he teaches Constitutional Law and Judicial Opinion Writing. An adjunct professor of law at Pierce Law, he teaches Judicial Opinion Writing. He is proud to report that approximately one out of every ten members of the graduating class at each school goes on to clerk, and that many of these clerks are his former students.

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A Vulnerable Population

BY ALICIA NOVI '07, CINDY LONERGAN PIC FELLOW



I signed up to work in the Elder Services Unit of the Chief State's Attorney of Connecticut, not really knowing what I was getting into. What awaited me this summer changed my opinion of elder law and caused me to think more carefully about what will happen as my family ages.

I walked into work my first day and met a lawyer who resembled a perpetual motion machine. She offered to let me help on a 27 count case about a pyramid scheme. The accused had taken over \$89,000 from an elderly neighbor he had known his entire life. I will never forget the day the victim told the judge "he was like a son to me; I would have given him anything." Although she suffered from Alzheimer's, she made a compelling witness. It was with great happiness that I was able to call her a month later and tell her he was found guilty.

After that first case, I handled many different cases ranging from a man who died from lack of appropriate care to a pharmacist accused of selling fake drugs to elderly patients. Each case touched on a different area of law and showed the breadth of knowledge needed to practice elder law. Often there were happy endings to these cases, but in some, there could be no such ending. Unfortunately, the downside to elder law is that your clients may not survive to see justice prevail.

One of the saddest cases I worked on involved two cleaning women and their elderly employer. These cleaning women had worked for their employer for over 10 years, but as time went on they became greedy. During the last few years of their employer's life, they had themselves named as sole beneficiaries in her will, sold her house, and took all of her money. Their employer was a thrifty woman who saved enough money so that she could afford to stay in her home until her death, even if she required 24-hour care. Unfortunately, her cleaning women sold her house from under

her and she spent the last few months of her life in a nursing home. She never lived to see the day the cleaning women were sentenced for their actions, although I'm sure she would be happy to know it.

I now know that elder law is about the vulnerability we all face as we get older. Things that you take for granted when you are young can become challenging as you age. It is hard to deal with the expense of retirement and medical care. It becomes harder when there are people who wish to separate you from your life's savings. Time and time again, I heard victims tell me that they have nothing left. They saved all their lives, sometimes through the Depression, so that they would be comfortable and now their savings were gone.

It was an eye-opening experience to see that as we age, we become more vulnerable to those around us. This summer I learned that it is important to make sure you have someone watching out for your best interests. I often saw cleaning women, caregivers, and the occasional family member take money, cars and, in one case, a house from elderly victims. Appointing someone you trust to watch over your savings is one of the most important things you can do. As we age, we need our families and it is important to discuss your wishes for any needed medical care and assisted living before it is necessary. Being open and honest will make it harder for others to take advantage of you.

Looking back on my summer, I will remember how much I learned. The Chief State's Attorney's Office taught me to serve the people of Connecticut and to insure the safety of our elderly citizens. I will always remember my time there and, hopefully, I might return there in the future.

Alicia currently works at the Disabilities Rights Center and will return to Connecticut following graduation.

Learning to be a Public Servant

BY MICHELLE WOLFENDEN '07

This summer, as a Public Interest Coalition Fellow, I had the privilege of working with some of the most intelligent, talented and dedicated attorneys that I have ever met. I refer to the attorneys of the New Hampshire Attorney General's Office. Specifically, I was fortunate enough to work side-by-side with the state's elite criminal prosecutors in the Homicide Unit.

I learned that the attorneys at the Attorney General's Office are true public servants in so many capacities. The office's mission statement includes the following pledges: "To serve the people of New Hampshire with diligence, independence, and integrity by performing the constitutional, statutory, and common law duties of the Attorney General as the State's chief legal officer and chief law enforcement officer; to seek to do justice in all prosecutions, to provide the State with legal representation and counsel of the highest quality, to protect the State's environment and the rights of its consumers, and to provide supervision of and leadership for New Hampshire law enforcement."

I was deeply moved by the sense of responsibility and strict adherence to these core values that my co-workers displayed time and again. Each attorney, paralegal, secretary, investigator, victim/witness advocate, and intern that I encountered shared a sense of purpose and pride in their work. From influencing legislation that will affect the daily lives of the citizens of New Hampshire, to investigating abuses of children and the elderly, to ensuring those organizations that apply for charitable organization status are truly deserving, to seeking justice for victims of sometime horrific crimes, the work that is done at the Attorney General's office is by definition exclusively in the public's best interest. To be a part of an organization that truly serves the greater good, even if only for a summer, was a truly amazing opportunity for which I am so deeply grateful.

At first glance, I was not sure that the Homicide Unit quite fit the mold of "public interest work." With their government funding and public support, criminal prosecutors seem much more like the

favorite than the "underdog" persona I had come to associate with public interest work. However, a few moments with the attorneys in the Homicide Unit were all I needed to dispel such a misunderstanding. While it is true that the attorneys of the Homicide Unit have the weight of the government at their disposal, each and every one is acutely aware of this fact, and work diligently to uphold the Constitution in every way possible. They are involved in every step of an investigation for just that reason—from ensuring that a suspect receives a valid Miranda waiver, to protecting each suspect's constitutional rights. The attorneys truly believe their duties include ensuring each investigation adheres to the spirit of the Constitution.

The most touching and heart-wrenching part of my experience, and perhaps the source of my deepest sense of pride, was sitting in the same courtroom with the families of homicide victims, and realizing that they depended on my co-workers to somehow bring justice to their incomprehensible situation. It was a true honor to witness the good work of the attorneys at the Homicide Unit on those days, because their work touched the lives of the grieved and suffering in a unique and concrete manner. More importantly, perhaps, my co-workers sought justice in an ethical manner, with the ultimate goal of serving all of the citizens of New Hampshire.

There is no way to adequately thank the Public Interest Coalition for providing me with the funding to make this opportunity possible. This experience has opened my eyes to whole facets of public service that I had no idea even existed. This will influence me throughout my legal career, and has inspired me to include public interest positions in my pending job search. No matter where or what I ultimately end up practicing, I will always remember my experience, and attempt to take on projects and employment that will offer opportunities to serve the public, just as my colleagues at the Attorney General's Office do every day.

Wolfenden will extern her last semester at a small firm in her hometown of Brewerton, NY.



MAKING A DIFFERENCE | Alumni Profile

BY ROBERT M. VILES



Peter Y. Wolfe '81

Court Clerk and Mediation Leader

The late Robert M. Viles, former dean and president of Franklin Pierce Law Center, interviewed Peter Y. Wolfe '81 for this profile on May 6, 1999. It is one of twenty-five interviews Viles conducted for his book entitled Making A Difference, which was to feature profiles of alumni he believed would make a positive impact on society.

Wolfe now serves as the New Hampshire Court Alternative Dispute Resolution (ADR) coordinator. In this position, he oversees the current court ADR programs that he helped to design and implement. In addition, he is working on expanding the use of ADR by the courts. As ADR coordinator, he participated in the training of court mediators for the Superior Court Rule 170 Program and the District Court Small Claims Program as well as serving as a mediator in each of these programs. As an adjunct professor at Pierce Law, he teaches dispute resolution and mediation. He also works privately as a mediation trainer. He served as clerk of the Sullivan County Superior Court from 1989 until his retirement in November 2005.

At the time Viles wrote:

Peter Wolfe is credited as a leader in the successful effort to embed alternative dispute resolution (ADR), principally mediation, in the civil justice system of New Hampshire. Rule 170 of the Superior Court Rules requires that all civil cases filed with the New Hampshire Superior Court, the court of general jurisdiction in the state, shall be assigned to ADR. Rule 170 has made New Hampshire an ADR leader nationally. As clerk of the Sullivan County Superior Court, neither promoting nor imbedding ADR in the civil justice system is part of his job description.

RMV: How did you get into ADR in the first place?

PYW: Through Franklin Pierce Law Center. When I was graduating in 1981, Felicity Lavelle '77 was starting the Concord District Court mediation program. I didn't have the time to participate then; but about a year later, I met with Rose Hill, director of the New Hampshire Mediation Program, and ended up serving on the program's board. (The late) Professor Bruce Friedman was on it as well.

I also mediated for the program. In 1985, I co-founded the Lake Sunapee Mediation Program in Sullivan County, where I was practicing law. In December 1988, I became the Superior Court Clerk for the county.

RMV: Why did you become interested in mediation?

PYW: I'm not sure. Perhaps it was because I was older. I had worked for large corporations and had run my own business as well. I was slowly learning that imposed solutions rarely worked. My experience in law school, especially in the clinics and in shared activities like trial advocacy and group exams, illustrated the benefits of a collaborative process.

RMV: Why did you decide to become a full-time Superior Court clerk?

PYW: Two reasons. First, I needed a break from the criminal and civil litigation I was doing. Second, I wanted to spend more time doing things that were important to me personally.

RMV: How did you come to bring ADR into the Superior Court system?

PYW: The subject came up during the interview for the job. Joseph DiClerico Jr. was then the presiding judge in Sullivan County. He and I had been discussing ADR for some time. He understood the benefits that could be achieved from mediation. During the interview I indicated that, if appointed, I wanted to do something with ADR in the court system.

RMV: What did you do?

PYW: At first, I attempted to establish a civil mediation program in Sullivan County, which failed because mediation was voluntary. Attorneys said they liked it, press coverage was good, and the court supported it. But no one used it.

RMV: Why?

PYW: Lawyers get into habits in their practice. They do things a certain way. Radical change is not something that people do casually.

RMV: How did you recover from such an unpromising start?

PYW: In 1991, the New Hampshire Supreme Court came out with a long-term planning report that included a recommendation for the use of ADR. I persuaded (the late) Walter

Dunfey, then chief judge of the Superior Court, to organize a meeting with all the people who were experimenting with ADR in different counties. Unfortunately, during the meeting, I had to leave to attend another meeting. The next day Superior Court Judge Linda Dalianis called to congratulate me on my election as chair. I had been in the wrong place at the wrong time!

RMV: *Then what happened?*

PYW: Judge Dunfey allowed me to expand the committee to include plaintiff and defendant attorneys. We also added a representative of the General Court, the director of the University of New Hampshire Program for Consensus and Negotiation, as well as additional court personnel. A subcommittee of Fred Desmarais, Dave Immen '76, Bill Mulvey, Karen Godzyk and myself was formed to develop a plan. We spent a couple of days in the basement of the Supreme Court building trying to figure out how to proceed to craft a court rule.

prospect of going from zero cases to over 2,000 a year scheduled for ADR.

There were compromises along the way. We would have liked a 40-hour training program for mediators, but we settled for two days initially, with a third day of advanced training later. To find experienced people, we looked for attorneys with more than five years of trial experience. We identified from Bar lists over 900 people with enough experience to understand the process. We sent a request to these individuals asking if they would be willing to donate six days a year serving as a neutral without pay. We received over 500 responses saying "yes." What a phenomenal response! Because of funding limitations, we still haven't trained them all.

RMV: *Why do you think there was such a positive reaction from the Bar?*

PYW: The New Hampshire Bar is unique. In responding so favorably to the new rule, the members really wanted to

“My experience in law school, especially in the clinics and in shared activities like trial advocacy and group exams, illustrated the benefits of a collaborative process.”

– Peter Y. Wolfe '81

Bill Mulvey was the genius behind the rule. He combined everything that the others contributed and came up with the first draft of Rule 170. All we had to do was sell it to the remainder of the committee.

We made some initial decisions. First, we didn't need another pilot program. Second, what we came up with was going to be mandatory because voluntary programs weren't working. While we were crafting our program, some of us went to a national conference that served to reinforce the direction we were taking. After many drafts the rule was approved. Now Joseph DiClerico, the new chief justice of the Superior Court, had to use his powers to usher in the rule.

You know how certain things happen because of timing? The right people were there, and the rule fell into place.

RMV: *How well has Rule 170 worked?*

PYW: In all honesty, the success of Rule 170 has exceeded what we anticipated. This is a tribute to the New Hampshire Bar as much as it is to the rule. We had been worried that, with every case in Superior Court going to ADR, we would not have enough people to handle the cases scheduled for ADR and provide for quality control. We were facing the

improve the system. They wanted to help clear the backlog of civil cases, including their own cases. In addition, they were attracted because we promised to teach skills useful in practice. For example, one attorney called to say she had settled six cases following her ADR training. Rule 170 certification is now seen as conferring status.

Over 300 people have been trained since Rule 170 went into effect. The number of neutrals needed to run the program raises some concerns. Quality control is an ongoing challenge.

RMV: *What do you do to assure quality control?*

PYW: Initially, we had each party and each lawyer to a mediation fill out a three-page exit questionnaire. I personally read all of them and made phone calls to lawyers to provide feedback. Information from the questionnaires has influenced our training and helped monitor the quality of the mediations.

RMV: *What kind of ADR does Rule 170 bring?*

PYW: Eighty percent is mediation. Arbitration is rare, but there is some neutral evaluation of cases where, because of liability issues, counsel feel settlement is impossible.

RMV: *What have been the quantifiable results of Rule 170?*

PYW: It has contributed to a large extent to the elimination of the Superior Court's civil backlog. You can now get a case heard within a year of filing it.

Settlement rates from Rule 170 mediation vary from county to county because each county administers its own program. In Sullivan County, my county, the rates vary between 65 and 75 percent. In Nashua, the rate was 78 percent. Settlement rates would go up further if the courts could allow more time for the mediations. They also go up when mediator styles are matched to the needs of the case. Some lawyers are better at evaluation of the merits and worth of a claim while others excel at focusing on party's interests.

The most profound effect of Rule 170 has been the change in the way people practice law.

RMV: *What do you mean?*

PYW: The preparation for mediation is different from the preparation for trial. For mediation, you can cut out a lot of the cost of trial preparation. You need to obtain enough information to assess your position and reach a settlement based on the assessment. For trial, you need to go further, preparing your experts and completing all the discovery required to defend your adversarial position.

Now attorneys come to early structuring conferences and say that they don't need discovery deadlines or trial dates because the case will settle at mediation. ADR has become part of the attorneys' case processing.

RMV: *How does Rule 170 stack up with its counterparts in other states?*

PYW: We're light years ahead of Maine and Vermont. To some extent we're also ahead of Massachusetts, which is difficult to compare to because each county has its own program. ADR is not mandatory in Massachusetts. Instead, courts have some sort of information session where ADR is pushed. Attorneys are free to ignore ADR. What I do like about Massachusetts is that mediators are paid.

Maine was, however, the first state to mandate mediation for all marital cases involving custody of children. The program there has operated since the mid 1980s. The kind of mediation they do differs from the marital mediation you see in other states. In Maine, the mediation takes place in a single session with attorneys present. Other states use a model where the mediation takes place over many sessions, usually without the attorney present.

We also tried to establish a marital mediation program in the mid 1980s. We were unsuccessful because of concerns relating to the quality of mediators. As a result, New Hampshire took

the approach of developing a certification program. It was the first state to do so. Today, most of the certified mediators are non-lawyers. They do multi-session mediations helping the parties find ways to resolve custody and property issues as well as learning to communicate with each other and make decisions in the future. This takes a long time. Generally lawyers are not involved with their clients at mediation.

There is some animosity in New Hampshire between the certified mediators and attorneys. The former blame the latter for escalating conflicts. The latter blame the former for failing to understand, to the parties' detriment, the legal issues associated with divorce. There is some merit to both perspectives. From the court's perspective, we would have liked to establish a marital mediation program but for many reasons, too numerous to detail, we instead opted to establish a neutral evaluation program for divorcing couples that is populated by lawyers. The program fills the gap between couples who want to mediate their divorce and those who want something closer to the outcomes found in court. The program has worked well when used. But, since the program is voluntary, usage is low.

RMV: *What do you see happening next on the ADR or mediation front?*

PYW: I don't know. I would like to see Rule 170 use paid professional mediators. The problem is one of funding. The court will not have the resources to pay the mediators, and it is difficult for policy reasons to require the parties to pay for a mediator in a mandatory program. Currently, we have some time to resolve this issue, as satisfaction with the program is high.

RMV: *Has your experience with mediation changed your own dispute-resolving style?*

PYW: Completely. I started with a very competitive, confrontational style. Now hopefully I adopt a problem-solving role. Sometimes the old style surfaces and I have to work to keep old habits under control.

RMV: *I forgot to ask you earlier how you happened to come to Franklin Pierce Law Center. What's the story?*

PYW: As proprietor of an inn and restaurant outside of Waterville Valley, NH, I was involved with many environmental issues. I decided to go to law school to be more effective in preserving what I really loved about New Hampshire. What was great about Franklin Pierce Law Center was that the admissions people were willing to look past my undergraduate grades, which were not great due to a lot of partying, and look at what I had done since graduation. It was a perfect match for me.

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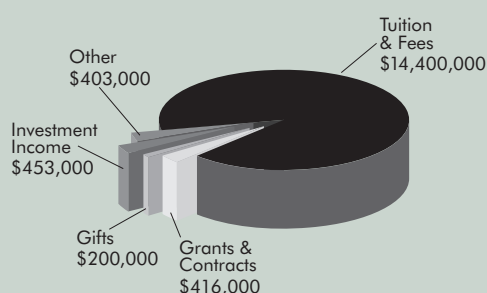
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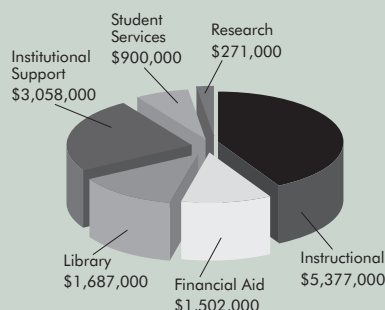
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Francis J. Murray, Jr.
Richard C. Nale
Robert C. Novy
Dennis Pizzimenti
Randolph J. Reis
Robert B. Rice
Nancy Richards-Stower
Dave S. Siff
David S. Slutsky
Barry M. Snyder
Lloyd A. Walmsley
Douglas J. Wood

CLASS OF 1977

Total Gifts: \$9,425

Class Participation: 19.5%

Ellen L. Arnold
Richard H. Basch
John J. Cronin
Daniel J. Dubord
William H. Gehlhaus
Cathy J. Green
Barry J. Hobbins
Kenneth R. Human
Joseph P. Infranco
Michael T. Joyce
Jane R. Lawrence
W. Eric Pedersen
Deborah K. Rein
Robert M. Schwartz
Harral Scott Tenney
David P. Van Der Beken
Harry J. Willis

CLASS OF 1978

Total Gifts: \$10,135

Class Participation: 26.5%

Lawrence M. Abramson
Andrea Amodeo-Vickery
Kenneth C. Brown
Anthony W. Buxton
Carol A. Conboy
Samuel Der-Yeghiayan
Nancy J. Geiger
Thomas E. Gibbs
James D. Gleason
C. Jeffrey Goble
Mr. John J. Goodfellow
Richard P. Haaz
Nina Kraut
Alan J. Kuntze
John A. Lassey
Frederic J. Levy
Lewis A. Lindenberg
Jay H. Litzman
David L. McIlwain
Thomas J. Nale
Anne S. Richmond
Howard J. Schain
John L. Thomas
Robert C. Van Ravenswaay
Christopher W. Wood
Peter Workin

CLASS OF 1979

Total Gifts: \$3,010

Class Participation: 18.9%

Elliot B. Aronson
Madison K. Boemig
Charles E. Bruzga
Winston S. Burt
Martha W. Copithorne
Jeffrey R. Crocker
Martha R. Crocker
Robert E. Epstein
Joseph W. Geldhof
Anne M. Berry-Goodfellow
Hedy P. Grant
Elizabeth A. Hoglund
Gerald L. Lynch
Thomas W. Saturley
Ron Shipley
Mark L. Sisti
Ann B. Webb
Peter G. Webb

CLASS OF 1980

Total Gifts: \$3,375

Class Participation: 21.2%

Benjamin J. Hauptman
Peter S. Wright
A. Larry Berren
Peter A. Bielinski
Patti Blanchette
Danforth Cardozo III
Michael J. Costello
Margaret A. Demos
Karen R. DePalma
Scott F. Eaton

Carol A. Hicks
Robert B. LaBeau
Gary S. Lenehan
Susan E. Marshall
Christine E. McLaughlin
Susan E. Nordholm
Robert E. Raiche
Billie E. Ramsey
Cedric M. Richeson
Denise Goulet
Pilar P. Silva

CLASS OF 1981

Total Gifts: \$5,025

Class Participation: 16.7%

Barbara Abbott
Robert H. Ballan
Teresa A. Dubuque
Hilda W. Fleisher
Richard C. Follender
Gregory E. Gore
Sheldon L. Gottlieb
Paul V. Jabour II
George P. Lagos
Kevin J. McAllister
Donald R. Milligan
Diane M. Puckhaber
Raymond P. Regan
Emily A. Richeson
David N. Sandberg
James W. Volz

CLASS OF 1982

Total Gifts: \$2,150

Class Participation: 13.2%

Raymond A. Cebula III
Robert C. Dewhirst
Tracey F. Dodds
Harriet J. Fishman
Gustavo G. Garcia
David E. Kearns
Stephen C. Lattanzio
Kathleen A. McDonald
John P. McGann
Wayne W. Presby
Robert J. Puckhaber
Sherilyn B. Young

CLASS OF 1983

Total Gifts: \$1,635

Class Participation: 15.6%

W. Kirk Abbott Jr.
Susan L. Alfin-Johnson
G. Clair Baker
Judith A. Gire
Priscilla M. Herzog
Stephen A. Izzi
Mitchell B. Jean
Kenneth R. Nielsen
Susan M. Presby
Michael C. Reynolds
Steven B. Scudder
Eudora Shaw
Dorothy M. Storrow
Michael J. Suneson
Vanessa J. Varone
Alvin S. Weinstein
Joyce A. Zoldak

CLASS OF 1984

Total Gifts: \$1,850

Class Participation: 10.5%

Jon R. Cavicchi
Janet F. DeVito
Konstantinos Diamantis
Gregory O. Drummond
Howard Gross
Eugene D. Loo
Elizabeth R. Milbrath
Louis P. Pfeffer
Benette D. Pizzimenti
Marguerite P. Wageling
Richard C. Wilder

CLASS OF 1985

Total Gifts: \$1,910

Class Participation: 16.1%

Richard K. Allen
Jonathan P. Baird
Elizabeth Black
Stephen A. Cherry
Denise J. Du Charmé
John T. Gannon
John P. Giere
William A. Grimes
Christopher L. Irving
Walter T. Ollen
M. Kristin Spath
Charles S. Temple
Arlene C. Udick
Royce Vehslage
Patricia A. White Dogan

CLASS OF 1986

Total Gifts: \$1,646

Class Participation: 11.6%

Quentin J. Blaine
Michael J. Bujold
William W. Cleary
Michael L. Donovan
William O. Hennessey
F. Michael Keefe
David J. Marchese
Diane M. Nicolosi
Mary T. Pilkington-Casey
Lauren S. Vallari
Mary Lou Wakimura Knowles

CLASS OF 1987

Total Gifts: \$4,680

Class Participation: 13.4%

Joseph C. Borsellino
Steven G. Brown
Norman D. Butts
Patrick C. Dorr
John M. Draghi
Mark Z. Dudley
Daniel J. Eastman
Thomas G. Fallis
Jon S. Hanson
Robert T. Kfoury
Brian P. Kowalski
Keith B. Kyle
Jacob M. Levine
Janet I. Stockhausen
Fredrick M. Zullo

CLASS OF 1988

Total Gifts: \$3,688

Class Participation: 15.2%

Mark W. Baer
Marc A. Chretien
Stephen R. Christian
Karin A. Gregory
John A. Kostrubanic
Linda D. Kostrubanic
Sarah J. McPartland-Good
Heather M. Merrill
Robert I. Morgan
Lynne M. Parker
Carl W. Potvin
Bette-Jo A. Scott
Karen H. Springer
Andrew K. Wilson

CLASS OF 1989

Total Gifts: \$935

Class Participation: 8.3%

Chiara G. Dolcino
Edward M. Gordon
Baidi Gu
Michael F. Hacker
Marcia P. McCormack
Martha J. Spalding
Philip H. Von Neida
Takeshi Watanabe
Husheng Yuan

CLASS OF 1990

Total Gifts: \$2,045

Class Participation: 6.6%

Mark E. Burke
Raymond J. DiLucci
Stephanie Eaton
Terry W. Kramer
Michelle B. Lando
Michael J. Russo
Douglas Zhang

CLASS OF 1991

Total Gifts: \$1,805

Class Participation: 5.5%

Lisah K. Carpenter
Steven A. Fontana
Jeffrey C. Gerson
Peter C. Lando
Christopher R. Largay
Moiria Notargiacomo
Lee E. Topham

CLASS OF 1992

Total Gifts: \$7,136

Class Participation: 10.4%

Earl W. Duval
Nina S. Gat
Lauren E. Gibbons Paul
David T. Griffiths
Young Wook Ha
Rebecca M. Harvey
Claire M. Jarvinen
Ik-Hwan Kim
Young Lee
Mary B. Sheffer
Eugene I. Shkurko
James T. Sullivan
Susanna G. Whitcher

HONOR ROLL

CLASS OF 1993

Total Gifts: \$6,307
Class Participation: 7.9%

Samuel W. Apicelli
Cristina A. Carvalho
Sze-Gien Chow
Cheryl S. Driscoll
Valerie G. Dugan
Young Kim
Ruth B. Kinney
Cristina L. Offenberg
Timothy I. Robinson
Amy G. Wolfson
Robert J. Worrall

CLASS OF 1994

Total Gifts: \$2,428
Class Participation: 10.6%

David I. Bailinson
Marie-Helene B. Bailinson
Michael S. Bowser
Linda E. Chadbourne
Julia R. Cohen
Matthew P. Hallisey
Yong-sik Kim
Jeong-Woo Lee
Sean P. McGraw
Abdallah J. Minkarah
Bradley J. Olson
Patricia J. Petrella Panichas
Alan W. Young
James L. Zemp

CLASS OF 1995

Total Gifts: \$3,603
Class Participation: 6.0%

Kevin J. Carroll
Neil P. Ferraro
Laura M. Holbrook
Tanya Karanasios Bolopion
Guk-Hyeon Kim
Rie Miyake
Rajiv P. Patel
Ketan S. Vakil
Xiaojun David Zheng

CLASS OF 1996

Total Gifts: \$6,558
Class Participation: 8.6%

David E. Belfort
Alan S. Brown
Gregory J. Cohan
Jacalyn A. Colburn
Kathleen M. Gersh
Lewis D. Gersh
Hampton W. Howard
Ashlyn J. Lembree
Valery Milgrom
Catherine M. Schendel
Maura M. Weston
Erin W. Zaldastani

CLASS OF 1997

Total Gifts: \$2,777
Class Participation: 6.1%

Annalee Abelson
Guk-Chan An
Kristin Deming Wheeler
David D. Kalish
Lin B. Olsen
Heather M. Sekella
Donald M. Smith
Michael W. Taylor
Michael W. Wallenius

CLASS OF 1998

Total Gifts: \$1,930
Class Participation: 8.5%

Christine A. Bailey Alff
Andrew L. Bertrand
Sean D. Detweiler
Annemarie L. M. Field
Jeanne P. Herrick
Cheryl A. Landry
Koichiro Minamino
Sun Young Mok
Man-Sun Park
James A. Sheridan
Eaton W. Tarbell, III
Douglas S. Weinstein
Myra V. Zilahy

CLASS OF 1999

Total Gifts: \$2,404
Class Participation: 5.8%

Thomas G. Field, III
Stephen R. Finch
Edward J. Hendrick, Jr.
Mitsuyoshi Hiratsuka
Sunny Mulligan Shea
Eiji Okuyama
Jae Young Park
James M. Petro
Parker B. Potter
Christopher J. Voci
Nicholas D. Wright

CLASS OF 2000

Total Gifts: \$1,395
Class Participation: 5.2%

Masako Ando
Holly B. Haines
Susan H. Hassan
Marie M. McPartlin
Timothy J. Ryan
Tracy A. Scavarelli
Andrew Schuman
Edward T. White
Scott P. Zimmerman

CLASS OF 2001

Total Gifts: \$875
Class Participation: 2.5%

Elizabeth J. Baker
Charles E. Bell
Shinya Furutani
Thomas J. Krul

CLASS OF 2002

Total Gifts: \$1,937
Class Participation: 6.7%

Flynn P. Bertisch
Keshav S. Dhakad
Michael J. Frodsham
Peter J. Gardner
Hye-in Kim
Suzanne M. Klunk
William R. Lambert
Richard J. Rygalski
Brien P. Santarlas
Allison M. Tulino
Scott M. Tulino
Adriana L. Zachousky Burgy

CLASS OF 2003

Total Gifts: \$1,284
Class Participation: 5.7%

Derek L. Allen
Aziz Burgy
Mary O. Dix
Bryan F. Erickson
Thomas E. Holsten
Claire R. Howard
Jeffrey A. Kobulnick
Vincent Macri
Se-Eun Oh
Seong-Su Park
James H. Yancey

CLASS OF 2004

Total Gifts: \$1,335
Class Participation: 8.2%

Gwang-Hun Choi
Chatrick L. Clark
Jeremiah J. Cottle
Dawn E. DiManna
Michael D. Dirksen
George S. Haight
John C. Heuton
Yun-Gi Kim
Eun-Gyeong Lee
Heidi M. Millard
Brian J. Moyer
Kaveh E. Rashidi-Yazd
Laura L. Rashidi-Yazd
Hak-Seop Shim

CLASS OF 2005

Total Gifts: \$1,529
Class Participation: 7.0%

Anonymous
Sarah R. Fox
Paul J. Homer
Jacqueline M. Hudkins
Hidetoh Kohno
Annette K. Kwok
Kevin M. O'Shea
Joni Reynolds
Joy A. Simeone
Ross W. Terrio
Jonathan R. Wise
Michael J. Zaino

CLASS OF 2006

Total Gifts: \$2,025
Class Participation: 25.8%

Gary M. Abrams
Kazuhiro Ando
Sara H. Bernstein
Sean R. Blixseth
Seamus P. Boyce
Andrew K. Brown
Elizabeth R. Burkhard
Erica R. Carlson
Candice V. Dixon
Vishal Dutt
Elsabeth D. Foster
Rosanna T. Fox
William J. Halford
Abdul Ghani S. Hamadi
Christopher E. Hanba
Jeremy A. Harmon
Brian A. Heyesey

Weber Hsiao
Dong-Jin Kim
Dongjun Kim
Jeong Hun Kim
Kazuhiro Kimura
Betty J. Kiplagat
Mrinalini Kochupillai
Robert C. Kolb
Mary L. Krueger
Dong-Ho Lee
Matthew G. Mavrogeorge
Seukki Mun
Melissa M. Nemeth
Blaine A. Page
Katherine E. Palakovich
Alicia M. Piazza
Melissa A. Puett
Brenda Reddix-Small
Christopher S. Reed
Maria Vianey Romo de Vivar
Gutierrez
Armand J. Rossetti
Shahin Shaik
Yoon Suk Shin
Ronald T. Sia
Matthew C. Smilowitz
Jake W. Soumis
Chanbunna Taing
Jie Tan
Uale Taotafa
John-Ryan Tarabocchia
Austin P. Wang
Tze-Hua Wang
Michelle K. Windom
Matthew C. Winterroth

Class of 2006 Class Gift



We want to acknowledge the outstanding contribution from the Class of 2006. With their abiding interest in technology enhanced facilities, the class voted that their gift help with the renovation of Classroom 229. With 25.8% of our newest alumni class making a gift, they demonstrate their commitment to the highest quality education and learning experience. To quote Blaine Page '06, "In appreciation for the excellent faculty and education that helped me achieve this dream, I am proud to have contributed to our 2006 Class Gift."

HONOR ROLL

TRUSTEES

Kenneth C. Brown '78
Anthony W. Buxton '78
Carol A. Conboy '78
James E. Conway '76
Lewis D. Gersh '96
Morton E. Goulder
Cathy J. Green '77
Karin A. Gregory '88
Young Wook Ha '92
William L. Keefauver
Heather M. Merrill '88
Jack B. Middleton
Gordon V. Smith
Haral Scott Tenney '77
Douglas J. Wood '76
Sherilyn B. Young '82

DEAN'S LEADERSHIP COUNCIL

Annalee Abelson '97
Mark H. Donatelli '76
Earl W. Duval '92
Hilda W. Fleisher '81
James B. Fox '76
Sheldon L. Gottlieb '81
Benjamin J. Hauptman '80
Paul V. Jabour II '81
Michelle B. Lando '90
Peter C. Lando '91
Robert C. Novy '76
Rajiv P. Patel '95
Wayne W. Presby '82
Timothy J. Ryan '00
Patricia Tenney
John L. Thomas '78
Robert J. Worrall '93

FACULTY & STAFF

Mary Anne Aspell
Lory L. Attalla
Renee M. Beal
Christine A. Boisvert
Elizabeth F. Bruen
Thomas G. Bunnell
Priscilla C. Byfield
Sharon Callahan
Frances J. Canning
Kevin J. Carroll '95
Jon R. Cavicchi '84
Laura S. Chaney
Linda L. Chroniak
John E. Coombs
Melanie B. Cornell
Joseph A. Dickinson
Linda I. Dragon
Thomas G. Field
Kathleen D. Fletcher
Jeannie L. French
John B. Garvey
Janet M. Gearan
Hugh Gibbons
Judith A. Gire '83
William A. Grimes '85
Clint A. Hanson
Paula A. Harris
William O. Hennessey '86
Karen Hersey
Brigette S. Holmes
Marcus Hurn
Peter Husak
John & Paula Hutson
Craig Jepson
Paula J. Jewell
William Jewell
Christopher M. Johnson
Karl F. Jorda

Kimberly Kirkland
Dawn M. Koeltzow
Ashlyn Lembree '96
Ellen M. Lessard
Clare M. Mallinson
Gayle W. Mazalewski
Catherine M. McDonald
Bonnie M. Morrison
Lyla A. Mulkhey
Sunny Mulligan Shea '99
William J. Murphy
Ellen J. Musinsky
Jeanette M. Neuman
John L. Orcutt
Mary T. Pilkington-Casey '86
Denise R. Presby
Susan M. Richey
Carol A. Ruh
Michael Ryan
Catherine M. Schendel '96
Albert E. Scherr
Mary B. Sheffer '92
Pilar P. Silva '80
Mitchell M. Simon
Sophie M. Sparrow
Charles S. Temple '85
Linda M. Turner
Peter S. Wright '80

STUDENTS

Michael Abramson '08
Aniruddha Agrawal '08
Edmar Amaya '07
Nicholas Barnes '07
John D. Crocetti '07
Rusha Desai '08
Rachael Hawes '07
Andrea Johnson '08
Jason Kim '07
Eric Martineau '07
Frederick Millett '08
Jason Ricke '07
Marjorie Rudinsky '08
Jason Sytsma '08
Ashley Walker '07
Luke Webster '08
Michelle Wolfenden '07

FRIENDS

Anonymous
Ronald L. Abramson
Stephanie Allaire
Robert P. Bass, Jr.
Jeannie M. Blodgett MacKay
Frederick M. Briccetti & Rebecca A. Briccetti
George Bruno
Jennifer Buda
Ann N. Butenhof
Edith Cahn
Matthew Cairns
Lea Caron
John B. Cook
Geoffrey G. Dellenbaugh
James E. Duggan & Helen J. Hartman
Victoria Elbroch
Barbara French
Carol Friedman
Faye R. Goldberg
Stacey Graham
Catherine Green
Richard C. Guerriero
Donald Hebert
Gary E. Hicks & Patty Hicks
Joanne Hinnendael
Geoffrey Hirsch

Lucy C. Hodder
Martin R. Jenkins
Seung-Hye Jeong
Allen Kalik
Christopher Keating
Mark Kegel & Patricia Kegel
Barbara R. Keshen
Kathy Kingston
Michel A. Lafond
Carroll Mann
Paul McGhee
Ann McLane-Kuster
Richard McNamara
Roman Melamed
Susan Marie Moreno de la Garnica
James R. Muirhead
Jan Myskowski
Virginia A. Nedved-Cook
Laurel O'Connor
Gregory D. Robbins
Steven R. Sacks
Norman Seagrave
Marilyn Siff
April Smith
Sarah Smith
David G. Stahl
John Tobin
Lisa Uhrin
The Women Lawyers of McLane, Graf, Raulerson & Middleton, P.A.
Carolann Wooding

CORPORATIONS, FOUNDATIONS, & ORGANIZATIONS

2 Bros Golf
Alpha Tae Kwon Do
American International Group, Inc.
Ampers & Studio
Apollo Travel Service
Applebee's
Arizona Cafe/Green Martini
Association of New Hampshire Law Librarians
AutoZone
Azores Express
Baaz Hair Studio
Bagel Works
Bailinson & O'Leary, PC
BAR/BRI Group
Bead It!
Beaver Meadow Golf Course
Bed Bath & Beyond
Bedford Deli & Catering
Beliveau, Fradette, Doyle & Gallant, P.A.
Bemis Company, Inc.
Ben & Jerry's
Best Buy
Bethel Inn & Country Club
Blowin' Smoke
Boeing
Boston by Foot
Boutwell's Bowling Center
Bread and Chocolate
Burns, Bryant, Cox, Rockefeller & Durkin, P.A.
Byrne & Carlson
Capitol Center for the Arts
Capitol Craftman
Capitol Grille
Carroll Concrete Co.
Castro's Back Room
Centennial Inn
Chandler Shop

Charles Hotel
Cheers Downtown Grille & Bar
Christa McAuliffe Planetarium
Cinema 93
Cobblestone Design
The Common Man
Constantly Pizza
Coppertoppe Lodge & Retreat Center
Country Spirit
Courtyard by Marriott
Daniel's Restaurant
Davis Towle Morrill & Everett
Devine, Millimet & Branch, P.A.
Disabilities Rights Center
Don Giovanni, L.L.C.
Dos Amigos Burritos
Douglas, Leonard & Garvey, PC
Dress With a Kick!
Dusty Rocker Antiques & Estate Appraisals
Eastern Mountain Sports
Elizabeth's Kitchen
Elliott Jewelers
Engraving Awards & Gifts
Farm & Flower Market
FedEx Kinko's of Concord
Flagworks
Flower Kiosk
FMC Technologies
Foodees Pizza
French's Toy Shop
Gallagher, Callahan & Gartrell
Garry's Service Center, Inc.
Getman, Stacey, Schulthess & Steere, PA
Gibson's Bookstore
Goldman & LeBrun, P.A.
Gold's Gym
Golf Country
Greater Manchester Family YMCA
Hannaford
Harbour Gallery
Hebert & Uchida, PLLC
Hermanos Cocina Mexicana
Hinckley, Allen & Snyder, LLP
Holiday Inn
House of India
House of Style
Hoyt's Office Products
In a Pinch Cafe
Jewish Communal Fund
Joe Kings Shoe Shop
Johnson & Johnson Family of Companies
Jordan, Gfroerer & Weddleton
Kallico Pottery Designs
Karen's Kitchen
Kennedy Studios Gallery & Custom Framing
Lavallee Brensinger, P.A.
League of New Hampshire Craftsmen
Let's Dance Studio
LEXIS Nexis
Linens-n-Things
Loch Lyndon Landscaping
Long John Silver's
Lost Your Shirt
Lovering Volvo at Concord
Madeline's Classic French
Pastries Elegance Defined Bakery
Maggiotto & Belobrow, PLLC
Maine & Asmus
Mallory & Friedman, PLLC

Manchester Bikram Yoga
McDonald's
McLane, Graf, Raulerson & Middleton, P.A.
Merck & Co., Inc.
Merrimack County Bar Association
Merrimack County Savings Bank
Mt. Washington Resort at Bretton Woods
Nashua Bikram Yoga
Nehemias/Gorin Foundation
New England Runner Magazine
New Hampshire Bar Foundation
New Hampshire Civil Liberties Union Foundation
New Hampshire Women's Bar Association
NHHEAF Network Organizations
Nixon Peabody, LLP
Nixon, Raiche, Manning, & Vogelmann, P.A.
No More LLC
Northeast Delta Dental
Ocean Properties
One Beacon Insurance Co.
Orr & Reno, P.A.
Outback Steakhouse
Pachamama, LLC
Panera Bread
Pappy's Pizza
Paul A. McDonough Law Firm, PLLC
Peter's Images Unlimited
Phillips Beverage Company
Pierce Law Bookstore
Pitchfork Records
Pizza Market of Concord, LLC
Pizzarelli's
PMBR Multistate Specialist
Portsmouth Harbor Cruises
Puritan Backroom
Rath, Young and Pignatelli, P.C.
River Run Bookstore
Rowland Studio, Inc.
Shaheen & Gordon
Shaw's Supermarkets, Inc.
Sheehan, Phinney, Bass + Green, P.A.
Stephen A. Cherry & Associates, PLLC
Storyland Morrellcor
Strawberry Banke Museum
Sulloway & Hollis, PLLC
Szechuan Garden Restaurant
Taylor Rental
TD Banknorth
The Barley House
The Boc Group, Inc.
The Music Hall
The Northrop Grumman Litton Foundation
The Oar House
The Proctor & Gamble Fund
The Rosa
The Yellow Submarine
Things Are Cooking, Inc
Upton & Hatfield, LLP
Wal-Mart Stores
Washington Street Cafe
Wiggin & Nourie, P.A.
WJYY
Zanca

Second Major Gift in a Year Pierce Law Receives Anonymous Gift of \$150,000

An anonymous gift of \$150,000 was recently given to Pierce Law. According to Dean John D. Hutson, "The gift, given by an alumnus who wants to remain anonymous, will establish an endowed scholarship for minority students." This is the second major gift that Pierce Law has received in a year.

A gift of \$600,000 was made possible by 1976 alumnus Douglas J. Wood, a partner in Reed Smith, LLP, NY, NY, when he donated a portion of \$750,000 given to him by a client, Edward Jay "Eddie" Phillips, founder of Millennium Import, LLC.

"Our anonymous benefactor's financial advisor initially called the Development Office regarding the gift, and

continues to be our only contact," explains Hutson. "The donor does not want to be identified with the scholarship, and has left the name of the scholarship to our discretion. We decided on the name, Pierce Law Scholarship Fund for Minority Students. Although we don't know who the donor is, we are truly grateful. Increasing our minority student population has been a long-time and ongoing goal for us. This generous donation will go a long way to helping us realize that goal."

This fund will be used to provide scholarship(s) for highly qualified minority applicants who demonstrate financial need. The first award from these new funds will be made in the spring.

Wood's donation will be used to establish the Douglas J. Wood Chairman's Scholarship Fund. Wood Scholars will be second- and third-year law students who

have achieved demonstrated academic excellence, keen writing ability, and service to the law school and who have not otherwise received merit scholarships.

Pierce Law Graduates Elected to Political Office

Seven Pierce Law graduates were elected to political office this fall.

James M. Carroll IV '87 of Laconia, NH won his first term as Belknap County attorney and Paul Jabour '81 of Providence will serve his first term in the Rhode Island State Senate, representing District 5.

The New Hampshire State Senate will welcome

both Molly Kelly '85 of Keene, who won her first term representing District 10, and Deborah Reynolds '80 of Plymouth, who will begin her first term representing District 2. Reynolds is co-founder of the Plymouth Area Democrats and one of five governor-appointed commissioners on the New Hampshire Commission for Human Rights.

Thomas G. Leone Jr. '87 of Auburn, NY was elected to his first 10-year term as a Cayuga County court judge in New York.

Roger Manno '01 was elected to his first term in the Maryland State House of Representatives where he will represent Montgomery County, District 19. Prior to election, Manno served as a legislative director in the U.S. Congress.

Ohio voters re-elected incumbent Congressman Timothy Ryan '00 for a second term representing District 17 in the U.S. House of Representatives. In 2003, Ryan was sworn in for his first term as one of the youngest Democratic members of the 108th Congress.



Pierce Law's Appellate Defender Program celebrated its 25th Anniversary and honored the program's founder, Associate Justice James E. Duggan (second from the right). Pictured also are (l.-rt.) New Hampshire Chief Justice John Broderick, Chief Appellate Defender Christopher Johnson, and Dean John D. Hutson.

Student Receives Scholarship from the Intellectual Property Owners Education Foundation

Nathaniel Lucek '07 is the recipient of one of the first Donald W. Banner Corporate Intern Scholarships to be awarded by the Intellectual Property Owners Education Foundation (IPO). The new IPO scholarships were awarded to two "outstanding law students who have completed an internship in a corporate intellectual property law department, and who intend to pursue a career in the field of intellectual property law." "The IPO Education Foundation is pleased to award Nathaniel Lucek with

the Donald W. Banner Corporate Intern Scholarship in recognition of his outstanding performance in a corporate intellectual property law internship," said Harry J. Gwinnell, president of the foundation. "His commitment to intellectual property rights is important for future innovation and the national and global economy."

In order to qualify for the scholarship, Lucek was required to complete a corporate internship in the field of intellectual property law. He worked during the summer



Nathaniel Lucek '07

of 2006 as a legal intern at Varian Semiconductor Equipment Associates, Inc.,

Gloucester, MA, and has accepted a full-time position at Varian following graduation in May 2007.

While at Pierce Law, Lucek has served as lead articles editor for *IDEA: The Intellectual Property Law Review*.

Institute for Health, Law and Ethics Awarded Fellowship

Thomas G. Bunnell, director of Franklin Pierce Law Center's Institute for Health, Law and Ethics is among twenty-four leading practitioners working to improve opportunities for families and communities in New Hampshire, Maine and Vermont, who were recently awarded Policy Leadership Fellowships by the Carsey Institute at the University of New Hampshire.

The fellows will participate in strategic workshops and work together to strengthen the collective capacity of northern New England to advance policies that help families, children and communities. The fellowship also includes an award of \$1,000 to support the continuation of the work of these nonprofit leaders in their home states.



The Black Law Students Association (BLSA) hosted a lecture this fall on the current conditions and atrocities occurring in Darfur. Guest speakers included Omer Ismail who was born in the Darfur region of Sudan and fled in 1989 as a result of his political views, and Professor William Hennessey. Ismail has spent over 20 years working both independently and with international organizations on relief efforts. He helped to found both the Sudan Democratic Forum, a think tank of Sudanese intellectuals working for the advancement of democracy in Sudan and the Darfur Peace and Development organization to raise awareness about the crisis in this troubled region. The BLSA also raised funds to donate to UNICEF to help those who are currently living in refugee camps. Pictured (l.-rt.) are Dean John D. Hutson, Omer Ismail, and Professor William Hennessey.

Fifteenth Annual Public Interest Coalition Auction Slated for March 23



This year's co-chairs include third year students: (l. - rt.) Fred Millet, Marjorie Rudinsky, Luke Webster, and Caitlin Calder, pictured with "Velvet Elvis," a prized possession donated to the auction by Professor Hugh Gibbons.

Pierce Law's fifteenth annual Public Interest Coalition Auction will be held on Friday, March 23, at the Courtyard Marriott, Concord. An auction preview and silent auction will be held from 5–7 PM, with live bidding beginning at 7:15 PM. Donations are currently being accepted.

Round-trip flights to the Azores, located off the coast of Portugal, donated by Azores Express are among the major auction items.

Twenty percent of sales from the school's art exhibition, Prints of the Year 2007, will be donated to the auction. Organized by Parker Potter '99, the exhibit is on view through March 30. Last year's auction raised over \$41,000 to fund the work of 15 law students in unpaid positions with public interest organizations.

"The students selected as Public Interest Coalition

Fellows have the opportunity to work with nonprofit organizations and government agencies serving the legal needs of vulnerable and disadvantaged clients, locally, nationally and internationally," says Megan DeVorse, director of the Social Justice Institute and auction advisor.

The 2006 fellowship recipients worked with a wide variety of public interest organizations including the New Hampshire Legal Assistance, the New Hampshire Public Defender, New Hampshire National Education Association, and the National Trust for Historic Preservation.

According to DeVorse, "The fellowships are awarded

to selected students who demonstrate the commitment and qualifications for this vitally important work. Selection is done through a competitive application process. PIC fellows serve a wide range of client needs during their summer internships and the work they do is enormously valued by the organizations and clients they serve."

New Hampshire Bar Association president-elect, Eleanor Dahar of Dahar Professional Association, Manchester, NH will serve as this year's honorary auction chair.

The Velvet Elvis Story

by Professor Hugh Gibbons

In the early 1990s, JIVE was held at the Loudon Country Hall, a ramshackle roadhouse in the middle of nowhere that had been falling apart since the 1940s. Oozing character, but devoid of decoration, the hall sported only the "Velvet Elvis," hung on a nail next to the stage. The painting became the mascot of the event, with nervous performers supplicating themselves to it in hope that some of its magic would rub off.

The JIVE performance was followed by a dance, which, because of the spirited nature of the location and the fact that it didn't seem to come under any police jurisdiction, was a frantic affair that went on for hours. Sadly, the hall's floor joists were not up to the stress and our tenure at the Loudon Country Hall ended in the middle of a dance when the floor gave way, though we managed to escape before it completely collapsed.

The hall was demolished after that and its meager contents sold off. Stricken at the loss of the painting, Robert "Jonesy" Worrall '93 that year's JIVE emcee, set out to find it, which took him several weekends, for it had made the rounds of a number of flea markets and art galleries (probably not) all over the northeast. Finally tracking it to northern New York State, he made a deal for it and gave it to me for safekeeping.

It hung on the wall of my office, where it made a design statement not often replicated in American law schools and helped put at ease a generation of law students who probably had every reason to be nervous.

Concord Attorney Speaks About Guantanamo Bay at Bownes Forum



Bownes Forum guest speaker, attorney Rob Kirsch of Concord, NH, (second from the right) talked about Guantanamo and his efforts to free six Bosnian prisoners. Also pictured (l.-rt.) are Dean John D. Hutson, Professor Mary Wong and Megan De Vorse, director of the Social Justice Institute.

The civil rights of Bosnian detainees at Guantanamo Bay were the focus of a lecture by attorney Rob Kirsch of Concord, NH at a recent Judge Hugh H. Bownes Forum on Civil Rights.

Since June 2004, Kirsch, who heads the Environmental Department at WilmerHale, Boston, has represented six men seized in Bosnia and interned at Guantanamo in habeas corpus proceedings as part of an international pro bono effort by WilmerHale. Kirsch spoke about his clients and the efforts by WilmerHale to win them a hearing to test the validity of their imprisonment, and his observations about the ongoing tension

between the War on Terror and the Constitution. Pierce Law Dean John D. Hutson, a military law expert, was available to answer questions, along with Kirsch, following the presentation.

Kirsch's clients were born in Algeria. At the time of the September 11 attack on the United States, they had all lived in Bosnia for six to ten years. Five are joint Bosnian/Algerian citizens; one is a permanent resident of Bosnia. All are married—four to Bosnian women—and collectively they have 20 children born in Bosnia. All were employed—most for charity groups, and all were living voluntarily in an integrated European society in 2001.

In early October 2001, the American Embassy in Sarajevo sought the arrest of the six men by the Bosnian government based on a suspicion—later determined to be false—that the six were planning an attack on the Embassy. Ninety days later, the Bosnian federal government released the six from jail, but handed them over to U.S. forces in the middle of the night on January 18, 2002. Despite the fact the suspicions originally used to arrest the men had, by then, been disproven—and despite a letter from the Bosnian government asking to have the men repatriated—they remain interned at Guantanamo Bay today.

Kirsch has visited his clients at Guantanamo eight times, after obtaining the federal security clearance demanded by the Defense Department. Each visit requires a trip of five to seven days.

In July 2006, the Center for Constitutional Rights issued a "Report on Torture and Cruel, Inhumane and Degrading Treatment of Prisoners at Guantanamo Bay, Cuba," which included information obtained by Kirsch and his colleagues during their representation of the Bosnian detainees.

Ninth Annual Friedman Community Service Day



Jill Corey '09

Pierce Law students, faculty, staff and families volunteered their time to nonprofit organizations throughout Concord in October, for the Ninth Annual Bruce E. Friedman Community Service Day. Among the organizations that received assistance were St. Paul's Church Food Pantry, the New Hampshire Audubon Society, Concord Public Library, the Rape and Domestic Violence Crisis Center, and Goodwill Industries of Northern New England.

National Institutes of Health Awards \$50,000 Grant to Pierce Law

Pierce Law was recently awarded a grant of \$50,000 from the National Institutes of Health to conduct a two-year research and writing project that will focus on police investigation, genetics, and constitutional privacy. The grant is the result of a competitive, peer-reviewed process.

According to Professor Albert "Buzz" Scherr, who is the principal investigator on the project, "The purpose of the grant is to analyze the boundaries of 4th Amendment search and 5th Amendment self-incrimination jurisprudence in light of the developing ability of the police to mine a human's cells for increasingly private, personal, and powerful genetic information."

"This project should make us think now, in a disciplined and creative way, about how well current 4th and 5th Amendment constitutional doctrine will be suited in the future to address circumstances in the world of police investigation that we are only beginning to imagine," explains Scherr.

Scherr's research will seek to answer three questions: Do we want to continue to allow police to mine for any genetic information the cells of anyone who has abandoned those cells in a public place? Do we want to continue to allow the police to compel anyone to offer up those information-laden cells without regard to a person's right

against self-incrimination? If we do not, can and should we change the 4th Amendment search and 5th Amendment self-incrimination privacy paradigms to account for our changing conceptions of identity and self?

With the help of student research assistants, Scherr will review the jurisprudence of constitutional privacy and developing trends in forensic, behavioral, and disease genetics. Ultimately, the project will produce several law review articles and present public lectures on the results of the research.



Guest speaker Todd Larson, senior counselor at the World Intellectual Property Organization (WIPO) presented a lecture this fall on WIPO's mandate and status as a specialized agency of the United Nations. Pictured (l.-rt.) are Joseph D'Angelo '08, Garth Coviello '08, Janet Cho '07, Todd Larson, Edmar Amaya '07, and Professors Mary Wong and Karl Jorda. The event was organized by the Student Intellectual Property Law Association.

FACULTY IN ACTION

Professor Thomas G. Field Jr. was recently asked to be a contributor to Touch Briefings' new publication, *Medical Device Manufacturing and Technology 2006*. An annual publication for professionals within the medical devices field, it will focus on the latest developments within the medical device market from a scientific, clinical, and objective perspective.



Professor John Burwell Garvey

Professor John Burwell Garvey, director, Daniel Webster Scholar Honors Program, has been selected for the *New Hampshire Magazine's* "Top Attorneys 2006," in the fields of Alternative Dispute Resolution and Personal Injury Litigation.

Professor William O. Hennessey was the opening speaker at the U.S. Patent and Trademark Office (USPTO) Conference on "China's Impact on Intellectual Property: Protecting Your Intellectual Property in China and the Global Marketplace" held in Boston in September.

Professor Emeritus Richard A. Hesse moderated a panel for the First Amendment Forum for Constitution Day held this fall, organized by the Nackey S. Loeb School of Communications. The hour-long program, presented at the Marlin Fitzwater Center for Communication at Franklin Pierce College, focused on the constitutionally guaranteed free speech and free press rights of student media with guests from education, journalism and law. Hesse has also offered several presentations of his personal portrayal of Justice John Marshall throughout New England. Entitled "A Conversation with John Marshall," and set in Washington, DC in 1835, Hesse's program reflects on Marshall's life and explains his views (and fears) for the future of the country.

Dean John D. Hutson testified at the United States hearing of the Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights held in September in Washington, DC. The panel of eight highly respected jurists is conducting a global inquiry into counter-terrorism and human rights and will examine and assess the United States' response to the threat of terrorism since the attacks of September 11, 2001. **Professor Karl Jorda**, at the request of the Centre for the Management of Intellectual Property in Health Research and Development (MIHR) and The Public Intellectual

Property Resource for Agriculture (PIPRA), is authoring a chapter on "Trade Secret Licensing" for MIHR's/PIPRA's *Handbook of Best Practices for Management of Intellectual Property in Health and Agriculture* in developing countries. He also delivered a series of seven lectures on Intellectual Property Policy and Management and Technology Licensing in December in Bangkok, Thailand at Siam Cementhai, Thailand's largest industrial conglomerate, for an audience of 35-40 R&D personnel, technology managers and IP professionals.

Professor Kimberly Kirkland participated in a discussion on how the legal profession shapes one's consciousness at a Crafts and Consciousness Seminar held by Williams College in November in New York, NY.

Associate Dean for Graduate Programs Susan Richey presented a paper entitled "Wages for the Sin of Omission in the Trademark Office: Should Applicants Be Under a Duty to Disclose?" at the Works in Progress Intellectual Property Colloquium 2006 held at University of Pittsburgh School of Law in October.

Professor Albert "Buzz" Scherr chaired a one-day retreat of the Patents and Civil Liberties Committee of the ACLU's national board of directors in September in Atlanta, GA.

Trustee Gordon Smith moderated a panel "Does Asia Value Its Intellectual Property?" in August at the Global Forum on Intellectual Property 2006, sponsored by IP Academy, Singapore. He also participated on a panel entitled "Leveraging Intellectual Assets as a Source of Sustainable Competitive Advantage."

Professor Mary Wong moderated a panel on copyrights at the Global Forum on Intellectual Property 2006 held in Singapore in August. The first multi-disciplinary IP forum of its kind in the Asia Pacific region, it was attended by intellectual property specialists from judicial practice, the academic arena and the business world. She presented a paper entitled "Knowledge: Lessons from the Open Movements," at the 6th Annual IP Scholars' Conference held in August at the University of California at Berkeley, co-organized by the Berkeley Center for Law & Technology, Cardozo School of Law, DePaul University College of Law and the Stanford Program in Law, Science and Technology. She also spoke about intellectual property justice at a workshop entitled "Free Expression and Access to Knowledge," at the United Nations Internet Governance Forum in Athens, Greece this fall. The Forum was convened by the United Nations as a result of the 2005 Tunis phase of the World Summit on the Information Society.

CAREER SERVICES

BY MARY SHEFFER '92, ASSISTANT DEAN OF CAREER SERVICES

The Career Services Office recognizes that you, our alumni, are crucial in assisting our recent graduates and students in securing employment. Many of you have been the first Pierce Law graduate to work in a specific firm and have paved the way for other Pierce Law graduates to join you. Many of you contact us when you see or hear about a job opening. Many, many of you are willing to speak with prospective students, current students and recent graduates about your work and the job market in your area. For all of these actions, we want to thank you.

Many of you have graciously offered to speak with students about your career path. For a student, there is no better way to begin their professional network than to speak with an alumnus. Time after time, students express their surprise and gratitude for the responsiveness of an alumnus when contacted. Thank you for your continued support of the Career Services Office.

The Class of 2006 set a new record. Our most recent graduates earned an awe-inspiring 96% Bar exam pass rate for Massachusetts and 97% for New Hampshire. Below is a partial list of employers:

Employers of the Class of 2006

Baker & Botts, New York, NY	Fitzpatrick, Cella, Harper & Cinto, New York, NY	Nixon Peabody, Manchester, NH
Beliveau, Fradette, Doyle & Gallant, Manchester, NH	Fogg and Associates, Minneapolis, MN	New Jersey Superior Court
Blakeley Sokoloff, Taylor & Zaffman, Sunnydale, CA	Goff and Wilson, Concord, NH	Novack, Druse & Quigg, Houston, TX
Boynton, Waldron, Doleac, Woodmun & Scott, Portsmouth, NH	Goodwin Procter, Boston, MA	Oblon Spivack, Alexandria, VA
Bransteder, Stranch & Jennings, Nashville, TN	Hamilton, Brook, Smith & Reynolds, Lexington, MA	Oliff & Berridge, Alexandria, VA
Brown Rudnick, Boston, MA	Herbert Smith, London, England	Plevy, Howard & Darcy, P.C, Fort Washington, PA
Cantor Colburn, Atlanta GA and Hartford, CT	Holland and Knight, Boston, MA	Procter & Gamble, Cincinnati, OH
Christopher & Wisberg, Fort Lauderdale, FL	Jenkins, Wilson, Taylor and Hunt, Durham, NC	Rader, Fishman, Detroit, MI
Church Church Little & Antrim, Indianapolis, IN	Jenner & Block, Chicago, IL	Raj Abhyanker Law Office, Palo Alto, CA
Cleveland Waters & Bass, Concord, NH	Jordan, Maynard and Paradi, Nashua, NH	Ramsey County, MN Public Defender
Columbia University Office of Technology Transfer	Kalil and LaCount, North Hampton, NH	Rockingham County NH Attorney's Office
Creative License, New York, NY	Kelly Lowry & Kelly, LLP, Los Angeles, CA	Samsung Corporation, Seoul, Korea
Connecticut Superior Court	Kirkpatrick Lockhart, Boston, MA	Sargent Law Office, Manchester, NH
District of Columbia Court of Appeals	Korean Intellectual Property Office	Schwartz Law Office, Newmarket, NH
District of Columbia Superior Court	Lerner David, Westfield, NJ	Schwegman, Lundberg, Woessman Kloeth, Minneapolis, MN
Downs Rachlin, Burlington, VT	Lowrie, Lando & Anastasi, Cambridge, MA	Staas & Halsey, Washington, DC
DTL Management Solutions, Richmond, VA	Massachusetts Superior Court	Sughrue Mion, Washington, DC
Durham, NC County District Attorney's	McDowell & Osburn, Manchester, NH	U.S. Air Force JAG
Dykema Gossett, Washington, DC	McKenney and Bausha, Amherst, NH	U.S. Army JAG
Edwards & Angell, Boston, MA	Merchant & Gould, Minneapolis, MN	U.S. District Court for the District of New Hampshire
Erwin, Ott, Clark, York, ME	Miami, FL Public Defender	U.S. District Court for the District of Northern Illinois
Finch & Nguyen, Concord, NH	Mintz Levin, Boston, MA	U.S. Internal Revenue Service-Honors Program
Finnegan, Henderson, Cambridge, MA	Mohave County AZ Public Defenders	U.S. Patent and Trademark Office
Fish & Richardson, Boston, MA	Moore, Hansen & Summer, Minneapolis, MN	Verizon, Inc., Boston, MA
	Moser IP Group, Shrewbury, NJ	Wilson Sonsini, Goodrich & Rosati, San Diego, CA
	New Hampshire Legal Assistance	Woodcock Washburn, Philadelphia, PA
	New Hampshire Public Defender	
	New Hampshire Superior Court	
	New Hampshire Supreme Court	

ALUMNI OFFICE NEWS

Supporting Global Alumni Networks and Alumni Relationships that Last a Lifetime

BY LAURA S. CHANEY, DIRECTOR OF ALUMNI RELATIONS

Since the summer, alumni have been busy reconnecting, networking, volunteering and fundraising on behalf of Pierce Law. I am pleased to report that nearly 1,180 alumni have registered with the school's online community, www.piercelaw.onlinecommunity.com. If you have not yet joined, please register today. Your fellow alumni are trying to find you! Also, please include alumni@piercelaw.edu in your email address books to ensure that you are able to receive our electronic communications.

Alumni Contact Info Update

To ensure receipt of Pierce Law communications, you can now update your contact information online at www.piercelaw.edu/AlumDev and click on "Alumni Contact Update Form."

Second Annual Golf Tournament

For the second year, alumni and friends hit the golf course to raise funds for Pierce Law's Phinney Fund Loan Repayment Assistance Program (LRAP). Tournament proceeds totaling \$11,000 will help provide critical support to recent graduates who choose careers in public interest law.

In September, twelve teams gathered at the Stonebridge Country Club in Goffstown, NH, amidst raging winds and pounding rain, to end the day with sunshine, good cheer, and a delicious meal. We are grateful to our co-chairs, Professor Ellen "Annika" Musinsky and Chuck "Tiger" Temple '85 for their leadership and give special acknowledgement to Jacalyn Colburn '96 for soliciting the highest number of event sponsors and foursomes. We thank our tournament committee: Charlotte Calcagni '07, Megan De Vorsey, director of the Social Justice Institute, Professor John Garvey, Steve Goldman '76, Brigitte Siff Holmes, Peter Leberman, Elizabeth Leonard '95, Mary Sheffer '92, and Richard Uchida '84 for creating this successful event and thank all who participated and generously contributed to Pierce Law's LRAP Program.

Photo Gallery

This issue's photo gallery highlights alumni gatherings at Reunion 2006 and in Washington D.C., New York City, and Rio De Janeiro, Brazil. We also congratulate our newest members of the Bar.

Reunion 2006

In September, alumni from the classes of 1976, 1981, 1986, 1991, 1996 and 2001 enjoyed a BBQ, a class brunch and an alumni dinner. We deeply appreciate the help of Nancy Richards-Stower '76 for her permission to reprint the photo of the 1974 softball team that can be viewed at www.piercelaw.edu/AlumDev/AlumOnly; Philip Cortese '81 and Gregory Gore '81 for writing to their classmates to encourage attendance; Heather Jeans Burns '91 for writing classmates and for helping to set up their class brunch; and Danielle Pacik '01 and Elizabeth Baker '01 for contacting their class and for arranging a class hike.

Washington, DC

In October, during the annual meeting of the American Intellectual Property Law Association (AIPLA), 80 Pierce Law alumni and friends gathered at the trendy LeftBank Wired Bistro. We thank Elizabeth Hochberg '03 for assisting us this annual DC event. And in November, Professor Kimberly Kirkland met with alumni during her visit to DC.

New York City

In October, Lewis Gersh '96 and Kathleen Gersh '96 graciously hosted a reception for 35 area alumni. We deeply appreciate their generosity in hosting this event.

Rio de Janeiro, Brazil

In November, Professor Kevin Carroll and Director of Summer Programs Debra Beauregard gathered with alumni during the Interamerican Association of Industrial Property (ASIIPI) conference. We are grateful to Debra and Kevin for welcoming our alumni in South America.

Rites of Passage

In October, alumni, families, faculty and staff toasted alumni who passed the Bar exam this past year. We proudly announce an overall Bar passage rate of 84% this fall, with a 97% passage rate in New Hampshire and a 96% passage rate in Massachusetts. *The highest scores in a decade!* We congratulate our newest alumni on their success and hard work!

ALUMNI OFFICE NEWS



Reunion 2006

1. Professor Ellen Musinsky, Christine Macdonald Barganier '01 & daughter Ava Cristina Barganier
2. Paula Hutson and Dean John D. Hutson & Thomas Shortill '76
3. Class of 1991 Brunch: William Hilton, Steven McCann, William 'Rocky' Sharwell, David Burns, Heather Burns, Associate Dean Marcus Hurn & Dean John D. Hutson
4. Robert Ruud '76 and his wife Wendy Ruud
5. Pierce Law founder Dr. Robert Rines & Nancy Richards-Stower '76



ALUMNI OFFICE NEWS



Mark your calendar for Reunion 2007

September 28 & 29

Honoring the classes of 1977, 1982, 1987, 1992, 1997, and 2002

If you would like to help organize a class activity and lead your class reunion effort, please email alumni@piercelaw.edu or call the Alumni Office at 603.228.1541 x1181. Watch for more details online at www.piercelaw.edu/AlumDev

Washington, DC Reception

1. Andrea Hirst '04 and Michelle Temple '01
2. Francis Plati '05 and William Mandir '87
3. Christina Rezk Glendening '06 and Soo No '06
4. Annette Kwok '05 and Professor Thomas G Field Jr.
5. Professor Karl F. Jorda, Bibiana Agudelo-Collier '00, Hyon Kyong (Monica) Leeu '02 and Edmar Amaya '07

ALUMNI OFFICE NEWS



New York City Reception

1. Lu Gao '04, Caren Khoo '00 and Lori Wolfe '00
2. Hosts Lewis Gersh '96 and Kathleen Gersh '96
3. Dana Metes '99 and Susan Rosenfeld '99
4. Michele and Michael '00 Krenicky and Kara Brotman '07
5. James Ray '03 and Trustee James Conway '76

Save the date —June 15, 2007 Third Annual Golf Tournament



Scott Daniels '98, Steve Finch '99, Ty Nguyen '99, and Michelle Temple '01 braved the elements to play in the Second Annual Gold Tournament held in September.

ALUMNI OFFICE NEWS

Alumni Receptions in Your Area

Please contact the Alumni Office if you would like information about hosting an alumni gathering in your area. Email alumni@piercelaw.edu or call 603.228.1541 x1181.

Brazil Reception

1. *Yolianna Arosemena LLM '99 and Graziella Benedetti Aleman LLM '05*
2. *Maria Brenes Tovar MIP '00 and Wilson Jabur IPSI '99*



December MIP & LLM graduates: front row, Gunjan Sharma LL.M, Delhi, India; Yeong-Ming Chang MIP, Taipei, Taiwan; second row, Lorena Catrain-Messina LL.M, Santo Domingo, Dominican Republic; Wan-Ni Lee MIP, Changhua, Taiwan R.O.C.; Simon Valverde LL.M, Cartago, Costa Rica; Jong-Jung Koo MIP, Daegu, Namgu, Korea; third row, Yanfeng Xiong MIP, Chi-Yuan Chen MIP, Taipei, Taiwan; Jean Paul Murwanashyaka LL.M, Ilundu, South-Kivu, Democratic Republic of Congo. Photo courtesy of Chappell Photography.

ALUMNI OFFICE NEWS

Rites of Passage 2006



Congratulations to the following alumni who passed the bar this year. Pictured (lt.-rt.) are members of the Class of 2006: front row, Matthew Mavrogeorge, Keriann Noonan, Mary Krueger; second row, Amy Mackin, Kimberly Kossick, Bonnie Howard; third row, Donna Lizotte, Andrew Ranks, Rosanna Fox '06; fourth row, Patricia Morris, Barbara Bedard, Leslie Leonard, Christopher Reed, Tracey Uhrin; fifth row, Jacqueline Docko, Raphael Roman, Scott Kumpf, Anthony Del Monaco, Jeremy Harmon; sixth row, Andrew Brown and James Fredette.

If you passed the bar this year, and your name is not on the list below, please email alumni@piercelaw.edu, and it will be included in the next issue.

Susan Abelleira '06
Vinay Aditya '04
Ammar Akel '06
Olli Baker '06
Matthew Barthalow '06
Abdul Basit '06
Sara Bernstein '06
John Blanchard '06
Séamus Boyce '06
Daniel Branson '06
Anna Bulas '06
Elizabeth Burkhard '06
Heather Byers '06
Michelle Ciotola '06
Sandra Congdon '06
Kevin Corriveau '04
Kevin Crosby '06
James Cueva '06
Rose of Sharon Daly '06

Monisha Deka '06
Sarah Dooley '06
Shelly Dorn '06
Jonathan Fallon '06
William Fardy '05
Elizabeth Featherman '06
Diana Fenton '05
Katherine Fibiger '06
Jeremy Forest '06
Elsabeth Foster '06
Martha Gannon '06
Lisa Georgalas '06
Christina Glendening '06
Joshua Graham '06
Rohan Gupta '06
William Halford '06
Christopher Hanba '06
Ryan Heavener '06
Edward Hendrick, Jr. '99

Christopher Hennessey '02
Brian Heyesey '06
Gemma Hoffman '06
Weber Hsiao '06
Michael Hulser '05
Kumiko Ide '06
Samantha Jewett '04
Emily Johnson '06
Eran Julian '06
Russell Kemmerle III '06
Dongjun Kim '06
Kongsik Kim '06
Sung Jin Kim '06
Robert Kolb '06
Cassandra Koontz '06
Brett Krueger '06
Stephanie Kwong '06
Adam Lesser '06
Michael Litzau '06

Scott Lowry '06
Jamie Lynn '06
Antionietta Marmorato '06
Scott Mayhew '06
Thomas McGinnis '06
Mitchell Mehlman '06
Mitesh Mehta '06
Gregory Mercier '06
Casey Miller '05
Grace Miller '06
Sarah Montgomery '05
Katherine Morneau '05
Seukki Mun '06
Melissa Nemeth '06
Elizabeth Ogburn '06
Anthony Osborne '06
Marilee Owens '06
Blaine Page '06
Katherine Palakovich '06
Soumya Panda '06
Yusun Park '05
Aaron Pederson '06
Brian Perreault Jr. '06
Alicia Piazza '06
Matthew Polson '06
Benjamin Prebyl '06
Melissa Puett '06
Holly Purdy '06
Eric Raymond '06
Philip Ruais '06
Nancy Russell '05
Ronald Sia '06
Matthew Smilowitz '06
Christopher Somma '06
Jake Soumis '06
Michael Sternberg '06
Jie Tan '06
Uale Taotafa '06
William Toronto '06
Patricia Turner '06
Lili Vo '06
Austin Wang '06
Matthew Winterroth '06
Kara Wojdyla '06
Jin Zhang '02

CLASS ACTIONS

1970s

Jack Crisp '78 was recently elected to a 3-year term on the Board of Selectmen for the Town of Bow, NH.

Thomas Watson '78, Portsmouth, NH received the New Hampshire Trial Lawyers Association 2006 Governors' Award for demonstrating "exemplary support of the Association and its goals... through the volunteering of time, expertise and/or financial support." He is also a two-time recipient of the NHTLA President's Award.

1980s

Ellen Strauss '81, Weston, CT is expanding her law practice and recently created The Alternative Divorce Process (ADP®), "one attorney per client advocating in a fair and non-hostile manner."

David Highet '82, Franklin Lakes, NJ was interviewed for a story entitled "Why Diversity is Good for the World of IP," published in the July 2006 issue of Euromoney Institutional Investor. Highet is chief intellectual property counsel for Becton Dickinson and a trustee of the American Intellectual Property Law Education Foundation.

Lise Iwon '83, Providence, RI was one of five local lawyers recently honored for their contributions to equal justice in Rhode Island from the Legal Services Corporation, a Washington-based organization that provides legal assistance to those who otherwise cannot afford it.

Cynthia Noyes '84, Olivet, MI has been promoted to associate professor of sociology/anthropology at Olivet College.

Richard Uchida '84, Concord, NH was recently named to the Colby College Board of Trustees. He currently serves as president of the New Hampshire Bar Foundation.

Breton Bocchieri '85 has joined Thelen Reid & Priest LLP as a partner in the Los Angeles, CA office. His practice focuses on trademark, copyright, cyber-piracy, trade secret, and related antitrust litigation.

Diane Nicolosi '86, Concord, NH is now serving as a marital master.

David Bernstein '87, Cambridge, MA has joined Javelin Pharmaceuticals, Inc. as general counsel and chief intellectual property counsel. He will be involved in all phases of U.S. and foreign patent preparation and prosecution.

1990s

Peter Gluck '91, Mission Viejo, CA is now head of the Orange County IP Group of Greenberg Traurig LLP.

Donald Crandlemire '93, Concord, NH completed the Leadership New Hampshire Program. He serves as general counsel to the Elliot Health Systems.

Michael Atella '94 was recently promoted to senior legal counsel for Qualcomm, Inc., San Diego, CA.

Mark Whitney '94, Sacramento, CA has been promoted to general counsel, senior vice president and secretary of GenCorp Inc.

Kevin Carroll '95, Concord, NH recently joined the Pierce Law faculty. He is a partner with the intellectual property law firm of Grossman, Tucker, Perreault & Pfleger, Manchester, NH.



David Belfort '96

David Belfort '96 of Corrigan Benett & Belfort, Cambridge, MA was named one of the Massachusetts' Super Lawyers 2006 in the area of employment litigation/plaintiff.

Peter Jankowski '96 recently signed a three-year contract to become the fourth town administrator of Dudley, NH.

Matthew H. Jacobs '96, Hampton, NH has joined Bernstein Shur's Business Law Practice Group, Manchester, NH. He will represent clients in general and complex corporate matters and commercial real estate transactions.

Michael Johnson '96 accepted a position as senior counsel at BTMU Capital Corp., Boston, MA.

William Titcomb '96 has recently joined Pillsbury Winthrop Shaw Pittman, McLean, VA. **Thomas Cawley '96** is also with this firm.

Peter Munson '97 has joined Wilson Sonsini Goodrich & Rosati, San Diego, CA. His practice encompasses all aspects of intellectual property law, including litigation, prosecution and licensing.

Michael Sanderson '97, Georgetown, KY will present "An Introduction to Patents and Harvesting Intellectual Property" on April 7, 2007 at Kansas State University.

John Caracappa '98 has joined the Washington, DC office of Steptoe & Johnson, LLP, as a partner in the Intellectual Property Practice.

Lars Smith LLM '98 was recently granted tenure and promoted to associate professor at the Louis D. Brandeis School of Law at the University of Louisville, Louisville, KY.



Matthew H. Jacobs '96

CLASS ACTIONS

Hariklia Ververidis '98 has opened Gallery 4 and the New Hampshire Surface Design Center, both an art gallery and studio, in Northwood, NH, featuring work by area artists, including Professor Hugh Gibbons.

Douglas Weinstein '98 has moved to Taiwan to accept a position at the Fei Han Foreign Legal Affairs Office of Finnegan, Henderson, Farabow, Garrett & Dunner, where he was recently named partner.

Thomas G. Field III '99, Lunenburg, MA is currently an adjunct at Pierce Law, teaching Patent Law.

Frank Maldari '99, East Lyme, CT is the vice president and corporate counsel for Pfizer Inc.'s intellectual property holding company in Groton, CT.

Prawit Pipobpinyo '99, Bangkok, is working in corporate and regulatory affairs management with British American Tobacco in Thailand.

2000s

Gary Bridge '00 has joined the Minneapolis office of Merchant & Gould as an associate. He will practice intellectual property law with an emphasis on patent prosecution.

Michael Denning JD/MIP'00 recently joined Wollmuth, Maher & Deutsch, LLP, NY, NY. He will continue to concentrate in bankruptcy, restructuring and litigation.

Elizabeth Baker '01, Contoocook, NH recently accepted a position with the Criminal Justice Bureau at the New Hampshire Department of Justice.

Yonghong Chen '01 recently joined the Intellectual Property Group of Akerman Senterfitt, West Palm Beach, FL.

Ursula Fikelepi '01, Johannesburg, South Africa is working for the government of South Africa in the shareholder department.

Barbarita Guzman Suarez '01, Caracas, Venezuela recently opened a private practice dedicated to intellectual property. She continues to work for the law firm of Anzola Raffalli y Rodríguez and at the Intellectual Property Seminary at the Universidad Moteavila.



Emanuel Meyer '01

Emanuel Meyer '01, Bern, Switzerland attended the fourteenth session of the World Intellectual Property Organizations' Standing Committee on Copyright and Related Rights. **Adebambo Adewopo '01**, Abjua, Nigeria also attended the meeting.

Deborah Quint '01, Wolfeboro, NH recently joined FamilyLegal, a member of the New Hampshire Family Law and Social Security Practice Groups.

Robert Spessard '01 was recently promoted to director of operations of Emma®, a web-based email marketing and communications service based in Nashville, TN. He served formerly as in-house counsel.

Dr. Saul Zackson '01, is a founding partner in a new law firm, Biotactica LLC, St. Louis, MO, that will provide legal services to the life sciences industry. A patent attorney, Zackson has experience with life science technologies, including molecular cloning, development of monoclonal antibodies, imaging technologies and production and use of transgenic animals.

Nancy Delain '03, Burnt Hills, NY is vice-president and acting secretary/treasurer of the Eastern New York Intellectual Property Law Association.



Adebambo Adewopo '01

Jill Goldman JD/MIP '03 has accepted a position as assistant counsel for the American Bankers Association, Washington, D.C. Her position involves domestic and international intellectual property prosecution, contract drafting, lobbying, and litigation.

Kalyan Kankanala '03, Bangalore, India was recently awarded a doctoral degree by the National Law School of India University.

Jocelyn Kennedy '03 recently completed an MLIS degree at the University of Washington, and accepted a position as faculty services librarian at the University of Michigan Law Library.

James Ray '03 has returned to his post as CEO of B.E.S.T. Advisory Group, an employee benefits consulting firm, New York, NY. He left his position as CEO to undertake a film production, and founded In'da Bag Productions which recently signed a deal with Third World Cinema to reproduce the 1974 Oscar nominated film, *Claudine*.

Saudin Mwakaje '04 of Dar es Salaam, Tanzania is currently enrolled in a doctoral program at the University of Dar es Salaam. He was recently appointed as an intellectual property coordinator for USHEPiA, a partnership of eight universities in sub-Saharan Africa including, the University of Nairobi, University of Makerere, University of Botswana, University of Cape Town, University of Dar es Salaam, University of Zambia,

University of Zimbabwe and the Jomo Kenyatta University of Agriculture and Technology.

Michael Rizzo '04 and **Fernanda Magalhaes '03** have relocated to New York. Rizzo works with Alex Montagu, general counsel of Lipper, Inc., managing the worldwide Reuters IP portfolio. Magalhaes works in the legal department of Coty, Inc.

Michael Sullivan '03 joined Pierce Atwood LLP, Portland, ME, as an associate in the Litigation and Intellectual Property Practice Groups.

Mark Whittenberger '03 is an associate at Grossman, Tucker, Perreault & Pfleger, PLLC, Manchester, NH. He will focus on foreign and domestic patent acquisition.

Vicenc Feliu '04, Baton Rouge, LA is the foreign, comparative and international law librarian at Louisiana State University.

Samantha Jewett '04 has joined Haughey, Philpot & Laurent, Laconia, NH, a firm that traces its heritage back to its founding by her great-grand grandfather, Col. Stephen S. Jewett. Since 1880, four generations of Jewetts have practiced in Laconia.

David Estabrook '05 completed a Connecticut clerkship and recently accepted a position at the Massachusetts Public Defender in Springfield, MA.

Nathan Greene '05 has joined Stoel Rivers, LLP, Salt Lake City, UT.

Miljan Kunijevic '05 is at The Hague, working for the International Criminal Tribunal for Yugoslavia.

Stephen MacKenzie '05 has joined the Wilmington, DE office of Womble Carlyle, working in patent litigation and prosecution.

Brian M. Nguyen '05 has joined Hamilton, Brook, Smith & Reynolds, Concord, MA as an associate.

Seamus Boyce '06 has joined the Fishers, IN office of Church, Church, Hittle & Antrim. His practice will focus on school and education law.

Hesong Cao '06, Westbury, NY is a technical consultant at Scully Scott Murphy & Presser.

Kazuhiro Kimura '06, Saitama, Japan, has accepted a position as deputy director in the legal division of the Japanese Patent Office.

Mrinalini Kochupillai '06, Brooklyn, NY recently co-authored an article on the "Arbitrability of Patent Validity and Infringement Issues" published in the *Harvard Journal of Law and Technology*.



Nathan Greene '05



In October, Carl T. Apoldite III '01 of Milltown, NJ was sworn in by Justice James E. Duggan of the New Hampshire Supreme Court to practice before the courts of New Jersey. "I could have chosen any judge, lawyer, or notary public to swear me in—in any state—but I decided that I wanted to return to Concord and have Jim do it," says Apoldite. "He was one of the most articulate, passionate, motivational, and approachable professors I had at Pierce Law, and I've always admired him as a human being. I'll always be grateful to him for this occasion."

Brett Krueger '06 has joined the Boston office of Fish & Richardson P.C. A member of the firm's Patent Prosecution Group, he will focus his practice in the areas of mechanical engineering and computer software.

Samuel Redlich '06 has accepted a position at The Law Offices of Richard D. Franzblau, Raritan, NJ.

BIRTHS AND ADOPTIONS

Kathleen Gersh '96 and **Lewis Gersh '96**, a son, Crosby Leland, December 9, 2006.

Robert Scheffel '99 and wife, Megan, a daughter, Riley Allison, May 22, 2006.

Eric Kolo '02 and wife, Edith, a new daughter, Mahé, July 12, 2006.

Kaveh Rashidi-Yazd '04 and **Laura Smith Rashidi-Yazd '04**, a daughter, Laurie Lily Diane, January 5, 2006.

Michael Blankenship '04 and wife, Adelina, a son, David, August 6, 2006.

MARRIAGES

Douglas Sprotte '87 and **Sigrid Tejo '03** on June 17, 2006.

Jeffrey Kobulnick '03 and Belina Levy, July 2, 2006.

Stephanie Bernhardt '06 and Justin Kwong on August 4, 2006.

Joshua Graham '06 and **Lili Vo '06** on May 20, 2006.

IN MEMORIAM

Steven Leary '79
Ronald Segal '80
Gordon Gilroy '95

CORRECTIONS

Deborah Wales '92 of Weybridge, VT is associate director of gift planning at Middlebury College.

Peter Nieves '98 joined Sheehan Phinney Bass & Green, Manchester, NH, as of counsel and is the chair of the Patent Law Department.

Angel Herrera '00 and **Gina McCool '00**, a son, Connor, January 2006.

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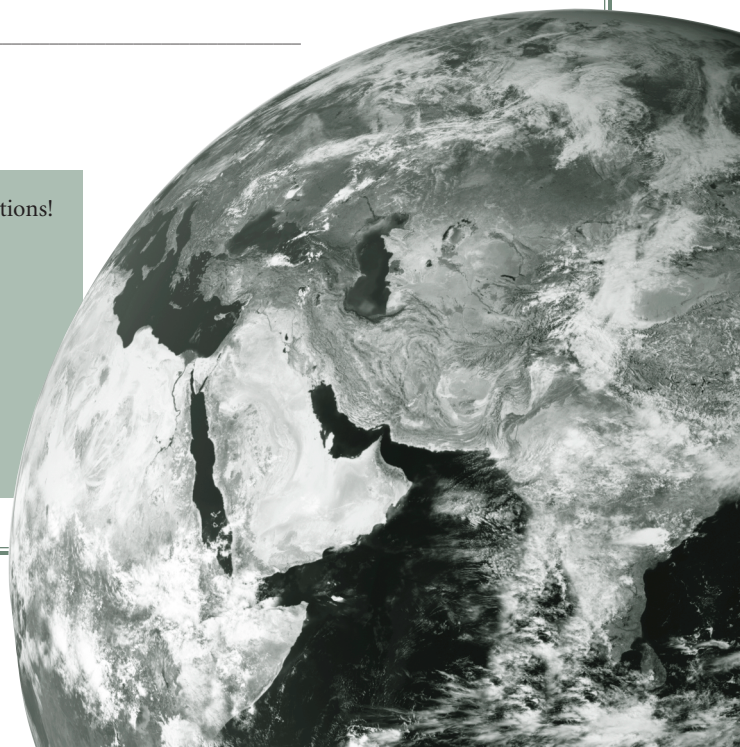
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GLOBAL REACH GLOBAL EDUCATION

Pierce Law Graduate Programs in Intellectual Property, Commerce and Technology span the globe.

William O. Hennessey, Chair, IP Graduate Programs

- Director, Pierce Law-Tsinghua School of Law Intellectual Property Summer Institute, Beijing, China
- Former Fulbright Senior Lecturer at Tsinghua
- Member, World Intellectual Property Organization Academy Advisory Board

William J. Murphy, Chair, Commerce & Technology Graduate Programs

- Director, Pierce Law-University College Cork (UCC) eLaw Summer Institute, Cork, Ireland
- Former Fulbright Scholar at UCC

Joseph A. Dickinson, Director, Contracts Curriculum for IP, Commerce & Technology Graduate Programs

- Former Fulbright Senior Lecturer at the New Bulgarian University and Sofia University St. Kliment Ohridski, Sofia, Bulgaria

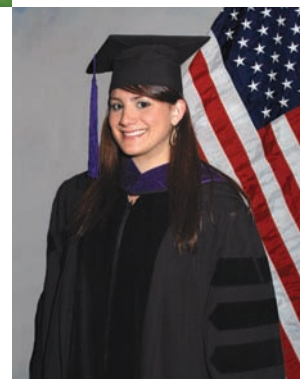
Karl F. Jorda, Director, Germeshausen Center for the Law of Innovation and Entrepreneurship

- Lecturer, World Intellectual Property Organization Symposia
- Recipient of the 1989 Pacific Intellectual Property Association Medal for outstanding contribution to international cooperation in the intellectual property field and the 1996 Jefferson Medal for exceptional contributions to the American intellectual property law system

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Calendar of Events

Chicago Area Alumni Reception (INTA Conference)	April 30
Commencement	May 19
International Criminal Law and Justice Program Institute of World Politics, Washington, DC	May 21–25
Washington, DC Area Alumni Reception	May 23
Intellectual Property Summer Institute, Concord, NH	May 25–June 29
New Hampshire CLE Day	June 1
Alumni Golf Tournament	June 15
China Intellectual Property Summer Institute Tsinghua University School of Law, Beijing, China	June 25–July 27
Japan Alumni Reception, Tokyo	August 4
eLaw Summer Institute University College Cork Faculty of Law, Cork, Ireland	July 9–August 3
Reunion 2007	September 28–29

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